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                            PUBLIC HEARING
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                                 FOR
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                       193 REMAND - CHUKCHI SEA
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                 BUREAU OF OCEAN ENERGY MANAGEMENT
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                           Kotzebue, Alaska
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                       Taken November 17, 2014
                       Commencing at 7:07 p.m.
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                 Volume I - Pages 1 - 56, inclusive
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                               Taken at
                  Northwest Arctic Borough Offices
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                          Kotzebue, Alaska
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    Reported by:
    Mary A. Vavrik, RMR
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MIDNIGHT SUN COURT REPORTERS (907) 258-7100

Page 2 Page 4 1 A-P-P-E-A-R-A-N-C-E-S We have Betty Lau. She's one of our section 2 Bureau of Ocean Energy Management: 2 chiefs. She was the person who was heavily involved in 3 Sharon Warren Deputy Regional Director writing the new exploration and development scenario 4 4 that's in the Supplemental Environmental Impact Statement. Michael Haller 5 Tribal and Community Liaison Michael Routhier, he's the project manager of this. Many 6 Michael Routhier 6 of you may have recognized Michael. Both him and I were 7 up here on the last go-around on the last supplemental, so Betty Lau Chief of Resource and Economic Analysis Section 8 we're returning on the second one. We have Frances Mann. 9 Frances Mann She is the section chief in environmental analysis. A lot Section Chief of Environmental Analysis Section 10 of her employees, subject matter experts, were involved in Heather Crowley Studies Plan Coordinator 11 writing the analysis in this document. 11 12 12 Then we have Heather Crowley. She is in our 13 environmental science management section. She is the 13 Elizabeth Gobeski Attorney Advisor 14 environmental studies coordinator, and so she has a wealth 15 of information on the research that the Bureau of Ocean Taken by: Mary A. Vavrik, RMR 16 Energy Management has done in Alaska. Then we have 17 BE IT KNOWN that the aforementioned proceedings were taken Elizabeth Gobeski, and she's with the Department of the Interior Regional Solicitor's Office, andb she's here to 18 at the time and place duly noted on the title page, before 19 listen, as well. 19 Mary A. Vavrik, Registered Merit Reporter and Notary Public within and for the State of Alaska. 20 Again, this is our time to listen to you and 20 your views and concerns, but I want to start off with Mike 21 22 22 Routhier, who is going to walk us through this. We are here for the public hearing of the Chukchi Sea OCS Oil and 23 24 Gas Lease Sale 193. So this is the first stage -- or the 24 25 second stage in the OCS Lands Act process so we have a 25 Page 3 Page 5 P-R-O-C-E-E-D-I-N-G-S 1

MR. MICHAEL HALLER: We are going to 3 begin. We would like to welcome you to your public 4 hearing tonight, but before we begin, we would like Judy 5 to offer an invocation for us, please. 6 (Invocation offered by Judith Stein.) 7 MR. MICHAEL HALLER: Thank you, everyone. 8 I'd like to introduce the Deputy Regional Director for 9 Bureau of Ocean Energy Management, Alaska Region, Sharon 10 Warren.

11 MS. SHARON WARREN: Thank you for having 12 us here tonight for this public hearing. Thank you for 13 the opening up of the meeting as far as prayer. 14 And so we are on record now. Mary Vavrik is here. She's a court reporter, so she will be putting stuff on the record so that we can get your information as 17 we go through this and want to see your views. We do have a PowerPoint presentation, but before 18

19 we go into that, I want to introduce the team that's here 20 from the Bureau of Ocean Energy Management, as well as the 21 Department of Interior. As you know, Michael Haller 22 introduced me as Sharon Warren. I am the Deputy Regional

23 Director for the Anchorage office here. Michael Haller is 24 our tribal and community liaison. He does a lot of the

25 outreach with the tribes and the communities, as well.

1 lease sale. So Mike will explain what we are doing, how

we got here, and what we would like to hear from you.

And after the presentation, since there is just

4 not very many of us here, what we can do is kind of come

5 in kind of like a circle. And this is what we have done

in the past. And people can just go along and talk,

rather than come up to a mike and testify, so to speak.

8 And we can just go around the circle and you can say what

you want to say until you don't have anything more to say

10 on it. And we will capture it all on the record.

11 So with that, Mike and Betty, if you could come 12 up and began the presentation.

MR. MIKE ROUTHIER: Okay. Well, as Sharon 13

14 said, we are here to provide a little presentation

regarding an environmental analysis document we prepared

for Lease Sale 193. So by way of introduction, we are the

Bureau of Ocean Energy Management, or BOEM, B-O-E-M. We

are a federal agency. We are in the Department of the

19 Interior. We are here to talk about that document we

prepared, and we are also here to get your comments on the

21 document and on what we presented.

This slide provides a little bit of background 22

information about BOEM, the agency. The primary

24 responsibility of our agency is to manage the energy and

25 mineral resources on the Outer Continental Shelf. And

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- 1 what that is, the Outer Continental Shelf is from about
- 2 three miles to 200 miles off of Alaska, federal waters.
- The agency goes about that mission by doing
- 4 several things. We implement a five-year oil and gas
- 5 leasing program that assesses what areas of the country
- 6 might be suitable for leasing. We then review any
- 7 exploration or development and production plans that the
- 8 agency might receive. We conduct environmental analysis
- 9 of all plans. We conduct a lot of our own environmental
- 10 studies to learn more about the OCS and its resources,
- 11 whether they are environmental or social. And we evaluate
- 12 resources, so how much oil or how much gas might be out
- there on the OCS. And we collect a lot of data.
- 14 So our mandate comes from something called the
- 15 Outer Continental Shelf Lands Act that is a federal
- 16 statute, and that creates this four-step process that our
- agency goes through, versus five-year program. Then we
- plan for specific lease sales, individual lease sales. If
- 19 leases are sold and the company wants to explore those
- 20 leases, then they submit an exploration plan, and we would
- 21 review that plan. And if it meets the criteria, the
- 22 standards that we have, then we may approve that plan.
- 23 And if the company were to find something on their leases,
- 24 then they would be eligible to submit a development and
- 25 production plan. And again, that would undergo a lot of

- 1 Like I said, we conducted environmental review
- 2 to analyze potential effects from leasing. That review
- was based on a hypothetical scenario; in other words, what
- 4 types of oil and gas activities might occur if there were
- leasing, what exploration activities might occur, what
- kind of development might occur, what kind of production
- might occur.
- More specifically, that 2007 document analyzed a
- one-billion-barrel exploration and development scenario.
- And this billion barrels was used because it was the
- minimum field size that the agency at the time felt would
- be required to support development; in other words, to be
- worthwhile for a company to want to go ahead with
- development.
- 15 And the Ninth Circuit Court of Appeals found
- 16 that that one-billion-barrel scenario was a deficiency
- with that 2007 document. The document raised -- or they
- acknowledged that, yeah, if that first one-billion-barrel
- field were to be developed, then more development could
- follow, but that document didn't analyze the environmental
- effects of any subsequent development. They didn't say,
- okay, well, what about these later fields that might come
- on-line. They didn't analyze that. And the Court of
- 24 Appeals said that was wrong, and it instructed the agency
- 25 to go back and do more analysis.

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- So that's why we are here tonight is we are
- 2 met our standards, our regulatory criteria. correcting that deficiency by preparing another
 - environmental review document, the Second Supplemental
 - Environmental Impact Statement. And what this document
 - does is it analyzes the environmental effects associated
 - with a bigger scenario, a larger amount of production,
 - more specifically 4.3 billion barrels of oil, along with
 - 2.2 trillion cubic feet of natural gas.
 - 9 As we said about developing this document, we
 - wanted to enlist the help of other agencies or
 - governmental entities with expertise in the area. So we
 - were fortunate to have several cooperating agencies.
 - Those include the Bureau of Safety and Environmental
 - 14 Enforcement, or BSEE; the Bureau of Land Management, BLM;
 - State of Alaska; and North Slope Borough and Northwest
 - Arctic Borough; and also several other agencies who are
 - participating agencies in that they also helped us develop
 - this document: EPA, Fish & Wildlife Service, NMFS, the
 - 19 Coast Guard and the federal coordinator for the Alaska

 - Natural Gas Transportation Project.
 - So this Second Supplemental EIS, it's a NEPA
 - 22 document, and as such it analyzes different alternatives.
 - In this case it analyzes four alternatives, including the
 - 24 Alternative IV, Corridor II deferral alternative that was
 - 25 selected in 2008. But what's really important to

So now we will provide a little bit of

- 4 background information on Lease Sale 193, the specific

1 environmental review, and we would approve it only if it

- 5 project we are here to talk about tonight. It all started
- 6 back in 2007 when the agency prepared an Environmental
- 7 Impact Statement to analyze what might happen if the
- 8 government were to sell leases in the Chukchi Sea. Lease
- 9 Sale 193 was held in 2008, and many -- almost 500 leases
- 10 were sold.
- 11 In 2010 the agency prepared a Supplemental
- **12** Environmental Impact Statement, and you may remember we
- had a meeting in this very room to discuss that document.
- 14 And that was to address a District Court remand. Alaska
- 15 District Court found a deficiency in that 2007 document,
- 16 and we tried to correct it in that Supplemental EIS.
- Eventually the District Court dismissed the case, but then the plaintiffs in the litigation, they appealed to the
- 19 Ninth Circuit Court of Appeals.
- 20 So that appeal I just mentioned raised two
- 21 issues. One concerned missing information. That was an
- 22 issue that we addressed in that 2011 supplemental document
- 23 that we were here a couple years ago to talk about. And 24 it also raised or appealed the issue of the scenario that
- 25 the 2007 document was based on.

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- 1 understand is that no new areas would be offered for lease
- 2 as a result of this process. We are just re-evaluating
- 3 the decision in 2008 to hold the lease sale. So there
- 4 won't be any new leases.
- This map here depicts the existing sale 193
- 6 leases. And those are what -- those leases are what's at
- 7 issue here, whether to confirm those leases or modify
- them, modify them in some way or to vacate the lease sale.
- I'm going to turn it over to Betty for a moment
- 10 here. Betty was a primary author of that development and
- 11 production scenario that I mentioned before.
- 12 MS. BETTY LAU: Okay. This triangle
- 13 explains a little bit about how we calculate the potential
- 14 reserves in the Chukchi Sea planning area. If you look
- 15 at -- if we looked at everything all over the Chukchi and
- 16 in any kind of reserves at all available by any means, we
- 17 would have 8,500 potential prospects. But of those, when
- you start getting down to it, how much of that is really
- 19 technically recoverable? Well, it shrinks down to 1,400
- pools and 15.4 billion barrels. Now, we are talking about
- **21** everything in the Chukchi.
- 22 Then if you look at, well, what could you
- 23 economically produce at \$110 a barrel, which I don't know
- 24 if you watch the price of oil; that's not what it is these
- 25 days. It's down to about 80. But we have 11.5 billion

- 1 while you are producing oil, you reinject the gas into the
- 2 reservoir and then you produce that same -- similarly to
- 3 what they have done at Prudhoe, produce the gas after the
- 4 oil is depleted. And that reinjection of the gas
- 5 postpones it till -- you know, until we -- they get a new
- 6 pipeline through from Prudhoe down to southern Alaska.
- And it also keeps up the pressure in the reservoir and
- improves your oil production.
- So it's 77 years. It's a long time, partly
- 10 because you have two phases. You have got oil production
- and you have got gas production afterward.
- 12 And the four phases are exploration where they
- go out and, you know, do their seismic, drill a well here.
- We have had 13 wells so far in the Chukchi Sea, and none
- of them has been a commercial success.
- 16 Then you -- if you find something, then you
- develop it, you put in the pipeline using the platforms
- that it would take to produce the oil and gas. You
- produce it. And then we include it as the last step,
- decommissioning, cleaning up after you are done, taking
- 21 things out, making sure that things are put back.
- 22 So we are assuming that both oil and gas are
- 23 going to be transported to market by pipeline, by carrier
- 24 ship.

25

MR. MIKE ROUTHIER: So after Betty's group

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- 2 So then we took a look at what might be available in the
- 1 barrels. So you can see it keeps shrinking as we go down.
- 3 leased area if we talked about a big anchor, a big
- 4 satellite and then two subsequent satellites being 5 developed. Because you found that big anchor, all the --
- 6 you know, the leases that don't get developed go away
- 7 after ten years unless they are being developed. The
- 8 operators have to ask for an extension of that time.
- So we are assuming that if you have one big
- 10 field, then maybe you could bring in some other smaller
- 11 fields with a later lease sale. So adding all those
- together, we are getting 6.4 billion barrels. And the
- ones that are just associated with 193 are one anchor,
- 14 which is the big one, and one satellite, and total 4.3
- 15 billion.
- 16 So that's -- that's the process we go through
- 17 with our geology and economic analysis. So we came up
- with a number of 4.3 billion barrels as the maximum we
- could develop based on just this one sale.
- 20 So here is the breakdown of it. You have got
- 21 your anchor field that has 2.9 billion barrels. You have
- 22 got a satellite of 1.4 billion barrels. And associated
- 23 with those two oil fields are 2.2 trillion cubic feet of
- 24 natural gas. And it takes -- because we have to -- we
- 25 would -- my assumption is you produce the oil first. And

- 1 constructed this hypothetical scenario, it's then turned
- over to people that work in Fran's shop, which are
- 3 biologists and oceanographers and other subject matter
- 4 experts, in order for them to assess what sort of effects
- 5 might occur from those activities that Betty described.
- 6 In doing this analysis, we consider new information, so
- the most recent studies and reports, most of which was
- funded by our agency. We identified impact-producing
- factors or those aspects of the activities that could have
- effects on the environment.
- Then we tracked the impacts of this scenario
- through time. So we walk the reader through the 77 years
- that would be required for this level of development and
- production to unfold.
- 15 We do an oil spill risk analysis. And for the
- purposes of this document, we are assuming that two large
- oil spills would occur. Those are a 5,100-barrel platform
- spill and a 1,700-barrel spill from a pipeline. The
- assumption of two is a little bit more than the statistics
- indicate, but we wanted to make sure that we captured all 21 the potential impacts.
- 22 The document also updates the hypothetical very
- 23 large oil spill analysis. That's something that we did
- 24 originally in the 2011 NEPA document we were up here
- 25 previously to talk about. That analysis is also in this

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- 1 document in an updated version, so we wanted to include
- 2 that to make sure the decisionmaker understood the effects
- 3 associated with this very low probability but very high
- 4 impacts event.
- 5 The other thing that we do in this NEPA document
- 6 is analyze cumulative impacts. That's the actions'
- 7 contribution to effects from other actions and other
- 8 things that are going on, whether that be climate change,
- 9 other types of development, tourism, vessel traffic,
- 10 aircraft traffic, all the other things that are happening
- 11 in this region. We really want to make sure we understand
- 12 how impacts from the oil and gas activities we described
- 13 in the scenario might interact with those other types of
- 14 impacts.
- So where do we go from here? We released the
- 16 document a couple weeks ago. We are currently in this
- 17 45-day public comment period, and that closes December
- 18 22nd. After that comment period closes, we will look at
- 19 all the comments we received. We will look at input we
- 20 get at meetings like this one here tonight. And we will
- 21 respond to the comments, whether by revising the text of
- 22 the document or in a more straightforward response to
- 23 comments form that we will include as an appendix in the
- 24 final document.
- And eventually when we are done revising, we

- 1 what we have done so far and eventually issue the final
- 2 document.
- 3 That's it.
- 4 MS. SHARON WARREN: Thank you, Mike and
- 5 Betty, for that presentation. On the table we have a
- 6 handout concerning regulations.gov and how you can get to
- 7 the portal from the instructions on how to do that. So we
- 8 have that at the table. Also on the table we have a few
- 9 disks of the document. So if you don't have a hard copy
- 10 of it, we do have some of those available here tonight.
- 11 If you want it on a computer disk, we have those also here
- 12 tonight. We also have on the table some of the Arctic
- 13 research information that we have done. Again, Heather
- **14** Crowley is our coordinator of environmental studies
- 15 program, so she will be able to -- after the meeting if
- 16 you have got specific questions on the environmental
- 17 studies that we have done, we have that information.
- 8 So what I would like to offer now is if we want
- 19 to just take a short break and kind of put the room in
- 20 kind of like a circle so people can go around and we can
- 21 talk. If you have got some general questions -- we are
- 22 not going to get in a dialogue or debate, but if you have
- 23 got some questions that we can answer tonight to better
- 24 inform you so that you can make comments on the document,
- 25 we would certainly do that, as well, because we would

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- 1 will release the final Second SEIS. And we expect to do
- 2 that in late February of 2015. And then 30 days later,
- 3 the Secretary of the Interior, who is the decisionmaker
- 4 here, can issue a Record of Decision. Basically she can
- 5 make a decision on whether to affirm, modify or vacate
- 6 Lease Sale 193. So we expect that that would happen in7 March 2015.
- 8 So submitting your comments. You can provide
- 9 your comments here. And after this brief presentation
- 10 concludes, we will chat more informally about any comments
- 11 that people might have. Or you can submit your comments
- **12** through regulations.gov. That is a common theme portal on
- 13 the Internet that the government provides. So you go to
- 14 this website right here, and you can read some documents
- 15 pertaining to this project. You can look at other
- 16 people's comments that have been posted on-line, and then
- 17 you can submit your own comments on the document.
- And what we are really looking for -- I mean, we
- 19 consider all the comments we get, but what we're really
- 20 looking for are substantive comments on the document. So
- 21 you forgot to analyze this, or we saw that you analyzed
- 22 that, but you didn't really get it right, so here are some
- 23 things that you should consider. Here is our point of
- 24 view about what those impacts might be. Those are25 probably the most useful comments as we go back and revise

- 1 like -- like I said, we would like to have your views and
- **2** all on the document.
- 3 I know there is -- it's a lot of information
- 4 that we went through. And so it's a very different
- 5 document than we had before. And so we would be more than
- 6 happy to answer some general questions to help you
- 7 understand the document and what's in it and so that you
- 8 can formulate your comments.
- 9 So I'm going to go off record right now, and
- 10 then we can kind of put the room around and we can discuss
- L1 things, if that's fine with you.
- 12 (Off the record.)
- MS. SHARON WARREN: Again, this is the
- 14 public hearing for the Chukchi Sea 193 lease sale. We do
- 15 need to make one correction. So if I can have Betty
- **16** correct a number, that would be great, for the record.
- MS. BETTY LAU: I misspoke. Sorry about
- 18 that. It's my first presentation. I said there were 13
- 19 exploratory wells in the Chukchi Sea. There have only
- 20 been five to date. But I was right about all of them not
- 21 being commercial successes yet.
- MS. SHARON WARREN: So if we want to just
- 23 start going around and listening, if you have got some
- 24 general questions, we are here to listen. Mary will be
- 25 taking down your concerns, your questions. And if they

Min-U-Script®

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1 are general enough, we can answer them. I'll open up the2 floor.

3 MR. EARL KINGIK: My name is Earl Kingik.

- 4 I come from Point Hope. I have been going to these kind
- 5 of meetings for the last ten years. And seems like we are
- 6 not getting anywhere. We are not attracting -- our people
- 7 aren't getting attracted. That book you see over there,
- 8 our people are never going to take a look at it. How can
- 9 we improve this? How can we make our people understand
- 10 and them go to these meetings and make sure they
- 11 understand what's in that big booklet? Because we don't
- 12 even know what's inside that booklet.
- Like the high school students asked me today,
- 14 what will happen if there is an oil spill or there is a
- 15 walrus haul-out, 53,000 walruses with oil on them. What
- 16 will we do? Are we just going to look at them? I
- 17 couldn't answer that. Maybe you guys could answer that,
- 18 maybe this guy, on that oil spill. If there is 53,000
- 19 walruses got oil on them, what are we going to do?
- 20 MR. MIKE ROUTHIER: Well, I can't -- I
- 21 can't address that too specifically in that I'm not the
- 22 expert on that issue. What I can tell you is that before
- 23 any company is allowed to do any drilling or any
- 24 activities that might cause an oil spill, they are
- 25 required to submit an oil spill response plan. And that's

- 1 about this kind of stuff these people are bringing in. A
- 2 majority of time I go to these public hearings or public
- 3 comments, maybe there might be five people. One time I
- 4 was here, I was the only one at the high school, only
- 5 person. And I was sad. It really hurt my heart because
- 6 people in Kotzebue love to hunt belugas and all the other
- 7 animals. They love to eat their fish. And I was
- 8 wondering, how come?
- So my first thing was how can we improve where
- **10** we can get people attracted to these kind of activities
- 11 like what the government is trying to do in our area. How
- 12 can we make it work better? I use my fliers like this,
- 13 you know. I use fliers like this to try to get people
- 14 involved in what we can do to improve and how could we
- ${\bf 15}\,$ make our people make comments. How can we do that? How
- **16** can we help them?
- And I had a chance to work with the North Slope
- 18 Borough lawyers to help collect comments from people, you
- 19 know, going to villages so we try to get as much comments
- 20 going. Because we only got 45 days. Forty-five days is
- 21 such a short time. Look. It was November. It's almost
- 22 Thanksgiving. Time goes by so fast, and we only got 45
- 23 days. How can we improve this? Radio station?
- 24 Newspaper? When I see the newspaper ads, never really
- 25 explain what this is going to be about, you know. I

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- 1 something our sister agency, BSEE, the Bureau of Safety
- 2 and Environmental Enforcement, looks at. And they have
- 3 some standards in their regulations. And their job is to
- 4 make sure that the company has adequately planned for the
- 5 possibility of an oil spill. And our agency helps out
- 6 with that, too.
- 7 For instance, we have geologists who look at the
- 8 characteristics of the well being drilled, and they assess
- 9 how much oil is capable of spilling from this well, and
- 10 they give that information to BSEE, and then BSEE makes
- 11 sure that the company has enough assets on hand to try to
- 12 address that spill.
- We all know that responding to the spill would
- 14 be a huge challenge up here. No one is trying to minimize
- 15 that. But that's the answer we could provide you here
- 16 tonight is that, you know, that is something that the
- 17 federal government takes very seriously and something that
- 18 the federal government looks at. And there is a lot of
- 19 review prior to any activities, any drilling being
- 20 approved. And we hope that, you know, events like that
- 21 would be properly considered when they do those reviews.
- 22 MR. EARL KINGIK: My name is Earl Kingik.
- 23 I work for Alaska Wilderness League under the
- 24 Environmental Justice Division, and I travel to all the
- 25 villages. I try to travel to all the schools and talk

- 1 should have brought my Arctic Sounder with your guys'
- **2** ad.
- 3 MS. SHARON WARREN: Right. We had ads in
- 4 the Arctic Sounder.
- 5 MR. EARL KINGIK: Our people don't
- 6 understand that kind of language, you know. We got to
- 7 make it where we will be able to understand. And our
- 8 people don't really pick up the newspaper and go through
- 9 the ads. But radio station is the best way. The best way
- 10 to attract our people is radio station because everybody
- 11 listen to radio. It was good to hear on Channel 2 News
- 12 that you guys were going to be in Kotzebue tonight. It
- 13 was good to hear on Channel 2 News that you guys are going
- 14 to be in Point Hope tomorrow and Wainwright.
- **MS. CINDY FIELDS:** That's how I found out.
- **MS. KARMEN MONIGOLD:** I know. I rushed
- **17** over here.
- **MR. EARL KINGIK:** We need to try to
- 19 improve it to where we can get our people attracted
- 20 because this is a very hot subject for our people, you
- 21 know. We are part of the ecosystem. Without them we
- 22 can't live. Without them we cannot keep our people
- 23 united. But I'm trying to figure out how can we let the
- 24 government improve the comment period, get them more25 comments so when they send the comments to Washington,

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1 D.C., hopefully I'll be able to take 3,000 instead of 25.

MS. KARMEN MONIGOLD: My name is Karmen

- 3 Monigold. I'm from Kotzebue. I wanted to kind of go off
- 4 of what he said. I have been to one meeting before, and I
- 5 had only heard about it, you know, that day. I mean, I
- industry means described and the second seco
- 6 just heard about this an hour, you know, before it
- 7 started, and I rushed over here. And the same that I
- 8 had -- the same feeling I had back then when I first went
- 9 to the meeting was that supplemental -- I mean, it's a
- 10 thick book, but it's only a supplemental of the -- how
- 11 many volumes is it that's written? And they are -- you
- 12 know, our people aren't going to go page by page by page.
- And so while I appreciate you guys coming here
- 14 to get our comments, we don't know what we are commenting
- 15 on. You know, all we know, all we understand is we need
- **16** to protect our resources. We need to protect our land,
- 17 our ocean for our children. I brought my son here today.
- 18 I asked him if he wanted to come. I said, you have to
- 19 start paying attention because that affects your food.
- 20 That affects your future. That affects your children and
- 21 your grandchildren. Seventy-seven years. You are going
- 22 to be how old in 77 years? You are going to be an old
- **23** fart.
- So my point is, you know, when we don't even
- 25 understand -- I mean, I'm sitting here looking at this,

- 1 is five wells out there already. What if something went
- 2 wrong and the closest place is, what, Dutch Harbor, you
- 3 know, to go up there to stop a spill? I mean, the closest
- 4 place is Dutch Harbor, I believe. You know, by then all
- 5 of our animals are wiped out. We are having a hard enough
- 6 time with climate change that having offshore drilling
- 7 right now, it's like putting the cart before the horse.
- 8 You are selling leases before you even know how you are
- 9 going to protect our people. And that's all we care about
- 10 is how you are going to protect our resources.
- 11 Thank you.

MR. WILBUR KARMUN, JR.: Wilbur Karmun.

- 13 I'm here on behalf of Kotzebue IRA. I've attended quite a
- 14 few meetings at the hotel here and over at the IRA. And
- 15 speaking with Shell and other entities, we have discussed
- 16 about having oil response barges out here in Kotzebue
- 17 Sound, support ships for the oil industry. And we also
- 18 discussed about getting to the communities along the coast
- **19** like Deering, Shishmaref, Kivalina, Point Hope.
- And my concern is what we are all expressing
- 21 tonight. And I'd like to see the -- see you folks and the
- 22 oil industry -- I'd like to see a larger meeting, maybe a
- 23 larger notice ahead of time and get more people together
- 24 and hear -- hear the concerns like we hear tonight.
- 25 And I really appreciate you folks coming out

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- 1 and we have -- I mean, if you are going to come to our
- 2 communities, what we want to hear about is we want to hear
- 3 about response. Where is the infrastructure that's going
- 4 to protect our resources, our animals, our land, our fish?
- 5 You know, just exactly what he said because we -- we rely
- 6 on those. Those fill our souls. They are not just our
- 7 food. Those are part of our culture. We are part of
- 8 their culture. I mean, you know, we are all connected.
- 9 So even though this is way up north, that still effects
- 10 our people down -- you know, further down here.
- And when you look at the oil spill off of, was
- 12 it Louisiana, I mean, that's in waters that don't freeze.
- 13 What the heck are we going to do up here when we -- you
- 14 know, we freeze? I mean, we are not freezing as much as
- 15 we would like to anymore, but we do freeze eventually, you
- 16 know.
- And so when we find out about one hour before
- 18 and then you bring that booklet, I haven't read that
- **19** booklet, same as last time. I didn't read the other
- 20 booklet because they are so thick and so overwhelming.
- 21 And I have some forms of education, and I look at that
- 22 book and I'm, like, seriously?
- All I want to know is who is going to be here to
- 24 protect our resources for our people if you guys start --
- 25 I mean, if they start offshore drilling. You know, there

- 1 tonight. I just found out on Channel 2 News that you guys2 were going to be here.
- **MS. SHARON WARREN:** So you didn't listen
- 4 to the radio today when I was on the radio with Mike?
- 5 **MR. WILBUR KARMUN, JR.:** I was in jury 6 duty all day.
- 7 MS. SHARON WARREN: Oh, jury duty. Okay.
- 8 MR. WILBUR KARMUN, JR: I sit on the radio
- 9 Kotz board, so I usually listen to the radio at work, but
- 10 today I was in jury. But I really appreciate you guys
- 11 coming out and listening to what we have to say. I mean,
- 12 we do have grave concerns. And I like the ideas of having
- 13 the oil response barges sitting here, which is a little --
- 14 which is a lot closer than down south like she mentioned,
- 15 like Karmen mentioned. I think we really need to work
- 16 hard to educate the folks up here.
 - And thank you.
- 18 MS. SHARON WARREN: Yeah, what we have
- 19 here tonight is about the lease sale. And of course, that
- 20 leads into -- I'm sure there would be exploration, and I
- 21 know Shell is out there and, like you said, the barges and
- 22 everything else. And that's -- you know, after the
- 23 decision is made on the -- should the decision be made to,
- 24 you know, keep the lease sale, then the next step will be
- 25 any exploration plans. And those do come into our office

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1 for	review. And we do look at them.
2	As you are saying, where is the place that

- 3 should be staged? What assets or ships, vessels,
- 4 everything else should be required for the companies to
- 5 bring with them, you know, relief rigs so should there be
- 6 an uncontrolled event of oil, you know, where is the
- 7 closest relief rig that they can come in.? So all that
- 8 comes after this decision that we are -- that we are
- 9 wanting to -- all those concerns go into our document
- 10 because that's part of the exploration and development
- 11 scenario because we are looking at that.
- 12 So I think it's very, very good to hear from all
- 13 of you tonight concerning the concerns of an oil spill,
- 14 the concerns of how is that protection going to happen.
- 15 You know, that's -- one thing we don't want is an oil
- 16 spill. Even with us living in Anchorage, we don't want
- that, as well. So it's kind of like what is there -- you
- guys are on the front lines, so to speak, and how can, you
- 19 know, the protection happen. So hearing that is very
- 20 good, as well.
- 21 You know, you say, like, you know, what kind of
- 22 comments to offer. You know, there is -- in the document
- 23 we talk about subsistence, you know, and subsistence way
- 24 of life. And so anything that you can provide us of -- if
- 25 we say that you subsistence hunt out to 40 miles, is that

- 1 actually analyzes the much larger scenario, so it's
- 2 actually in that sense bigger than the other documents.
- 3 And I feel like you could probably just look at this one.
- And there might be some references back to sections of
- other documents, but overall this new document should
- really stand on its own and cover things.
 - MS. KARMEN MONIGOLD: And then the second
- question I have is, on one of the slides it showed the
- Northwest Arctic Borough and the North Slope Borough were
- a part of this.
- MS. SHARON WARREN: Correct. 11
- 12 MS. KARMEN MONIGOLD: Which brings me back to your question about how we get these out to our people.
- And it sounds like our boroughs should be educating. Our
- borough assembly members, if they are a part of this, they
- are the ones that should be letting us know as a
- 17 community.
- MS. CINDY FIELDS: Not just collecting a 18
- 19 per diem.
- 20 MS. SHARON WARREN: All the meetings with
- 21 the cooperating agencies were by teleconference, so --
- because of the time that things we are doing. And so we
- did look towards like the Northwest Arctic Borough and the
- 24 North Slope Borough. They did look at the document before
- 25 it was even out to the public to see if some of the

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- 1 accurate? You know, some of those things that you know --
- 2 because the document is -- it's a lot to read and
- 3 everything else. But sometimes if you can break it down
- 4 to those areas that you know a lot about -- you know, in
- 5 the table of contents maybe just go to those areas that
- 6 you know a lot about and is really the focus of your
- 7 concerns and focus on that so you are not necessarily
- 8 looking at 400, 500 pages. You know, take a look at the
- 9 table of contents and see if there is something in there
- 10 that when you are looking at it and if you have got
- 11 questions on it, we would be more than happy to answer
- 12 them and everything else.
- 13 But what I'm hearing tonight is information we
- 14 need to hear and the concerns because that is very
- important to us.
- MS. KARMEN MONIGOLD: So on these disks, 16
- 17 that's just the supplemental, the Second Supplemental,
- right? Where do we go to get the full, you know, document
- of the 800 million pages?
- 20 MR. MIKE ROUTHIER: We do have those on
- 21 our website, the 2007 document and then the 2011 document.
- 22 That said, even though, you know, this is a supplement,
- 23 like you said, our goal was to make it as self sufficient
- 24 as possible. So we wanted to make something that really
- 25 stands up on its own and is comprehensive. And it

- 1 information we had in there was correct and if there was
- some things that we needed that we didn't know about and
- everything else. So they helped us in that aspect.
- And so I saw that they helped us. You know,
- 5 it's not -- I don't want people to think, you know, a for
- or against or anything else. It was more of an assistance
- of helping us with the factual stuff. So it wasn't like,
- you know, a cooperating agency or a participating agency,
- you know, they are totally supportive of the document or
- not totally supportive of the document. It's just that we
- asked them for some information and they provided us the
- information. I hope I captured that correctly, Noah.
- MR. NOAH NAYLOR: For us we could do a 13
- 14 better job of communicating. We go on the radio every
- Wednesday. I actually wasn't here these last two
- Wednesdays for personal and business reasons. Those would
- have been the times for me to start talking about this
- meeting that we are having today. And if I were here
- 19 within those two weeks, I probably would have done a 20 better job of doing that.
- 21 But we can still do it. We have so many more
- 22 days to do it. And I can get on the radio on Wednesday
- and talk about that we had this meeting, what are your
- 24 concerns, and probably go about the best way to comment on
- 25 those concerns because it's not only -- not good enough

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- 1 just to have a concern, but you have to know how to
- 2 comment on it. What section of the -- what section of the
- 3 draft is out there that you want to comment on? And we
- 4 sent some information out there. And the information that
- 5 we gather here today we will also add in our comments at
- 6 the end of the 40-day comment period.
- And then, you know, welcome to comment on --
- 8 call on-line while we are at the radio station to talk
- 9 about this. And getting more people involved is the key,
- 10 but finding a way for them to understand what's going on
- 11 is the way to do it and making it something that they can
- 12 relate to rather than 16 reams of paper that talk about
- 13 the environmental studies or aquatics or things like that,
- 14 and then making it a little more easier. We can, I think,
- all say that subsistence is the most important thing for
- us. We just have to figure out what part of the document
- that we are going to be referring to that you can help
- correct with the EIS.
- MS. CINDY FIELDS: I originally grew up in 19
- 20 Selawik, but I moved here, and I have been living here for
- 21 20, almost 30 years. As a child I grew up coming here
- 22 every summer with my parents, and they have come for many
- 23 years from Selawik. And it may not be on the coastline.
- 24 They are in the river system. And we come here to the
- 25 coastline to harvest the bearded seal. And that's how

- 1 it's been harder for him to harvest. He didn't go out and
- 2 come right back and say here it is, you know, not like in
- 3 the past. Same with caribou. Our climate is just
- 4 changing so much. And on top of our climate change, we
- are going to deal with offshore drilling. That's pretty
- scary. It makes you want to cry because you just never
- know what's going to happen. It's a scary thought.
- MS. JUDITH STEIN: My name is Judith
- Stein, and I just wanted to know, if we wanted to write a
- comment -- like tonight he talked about the fish -- that
- we could do it in writing tonight?
- 12 MS. SHARON WARREN: Yes. And we will take
- 13 it back with us tonight. And then also, you know, what
- 14 you are saying tonight is captured on the record, so we
- will have transcripts of this, as well. We will be going
- through the transcripts and parceling out the different
- comments that we hear tonight so that we address them.
- Yes, Judy, you can do that.
- MS. KARMEN MONIGOLD: One other comment I 19
- 20 wanted to say. I know that we are not commenting on the
- actual Second SEIS because I won't even look at it until I
- get home on my computer. So my recommendation would be is
- to find out how to get it out, you know, to the people
- 24 before you show up here so that when you do show up here
- 25 we will have comments on what you want us to comment on

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- 1 they have their seal oil. They share with Elders in the
- 2 community, you know. And the sharing system in the
- 3 village is there, so they share. Other people -- you
- 4 know, it just works together where they help each other
- 5 out.
- Now that my parents are -- my father is
- 7 deceased. My mother is in the elderly home here. Still
- 8 love to eat it. Will hardly eat White Man food, what we
- 9 call it. I brought some oiled pike to her with seal oil
- 10 and black meat. And let me tell you, those Elders just
- 11 was a magnet to the table, and I just had a little bit,
- 12 but it all went. Soul food. We talk about soul food. We
- 13 want fulfillment. And that's kind of scary because it's
- 14 not just the coastline communities. It's people in the
- 15 villages, you know.
- 16 I know some relatives that come here, hunt the
- 17 bearded seal and bring it all the way home to Selawik or
- to Noorvik, camp outside of Noorvik or to Noatak. And
- 19 it's not just the coastal. It's also people in the river
- 20 system.
- 21 But the importance of the seal oil, you know, it
- 22 was kind of scary because my husband usually would come --
- go out, get the bearded seal and bring it right back and
- 24 I'd work on it. This year it was -- it's getting harder. 25 Because of our -- the climate change we are going through,

- 1 because none of us have read that book. And I apologize.
- 2 I wish I could comment -- I could comment smartly on it,
- 3 but I haven't read it yet, so --
- MS. SHARON WARREN: We do have a mailing
- 5 list. We did mail these documents out to the libraries
- 6 here. We also have a mailing list so if people -- as time
- goes on in the future, if you want to give us your
- address, we can put your name on the mailing list. And we
- do. We have quite a few people that we have e-mailed this
- document out across, you know, the whole Alaska area
- because we try to -- and we do -- either we -- and we
- don't put them slow boat, so to speak, to the areas. We
- will either send them express mail or priority mail so you
- 14 have them pretty much the entire period instead of sending
- them like parcel post or something like that. We don't do
- that. But if you want to receive a copy of it in the
- future -- anything in the future that we have mail-outs
- and everything else so you can keep yourself abreast of
- what's going on because there is a lot of activities from
- time to time -- not all the time, but from time to time,
- 21 we would be more than happy to do that. And then what I'm also hearing from everybody is
- 23 rather than us just come, like, to a public hearing and
- 24 maybe that's the only time you see us, is for us to be a
- 25 little bit more on our outreach to come sooner and kind of

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- 1 talk about these things ahead of time before you even see
- $\boldsymbol{2}\;$ a document or anything like that is what I'm hearing from
- 3 you, that would be helpful.
- 4 MS. KARMEN MONIGOLD: It would have been
- 5 helpful if I read the document before I came so I could
- 6 have an educated comment on what you want us to comment
- 7 on. And then I guess my final comment to emphasize is, to
- 8 me this is putting the cart before the horse. You know,
- 9 for our communities, we want to know how you are going to
- 10 protect before you even put one exploratory drill out
- 11 there. How are you going to be prepared? I had gone to
- 12 an Alaska dialogue, and it was the same thing. They told
- **13** me all about offshore drilling. They told me all about
- 14 the Northwest Passage and the ships that were going to go.
- 15 And there was a group -- I mean, there were 75 people in
- 16 this room listening to how great it's going to be, you
- 17 know. And I'm sitting there just thinking, my whole
- 18 culture is going to be wiped out.
- And when I stood up finally after listening for
- 20 two hours to these people tell how financially great this
- 21 is all going to be, I asked them what are you going to do
- 22 to protect our people. And not one -- I mean, there was a
- 23 panel of like eight people, and not one of them had an
- 24 answer. You know, so it's frustrating because you are
- 25 talking about stuff that our comments that we are

- 1 there is increased shipping going on. And so we do the
- 2 cumulative analysis in this document. That is one of the
- 3 areas that we have put in there, you know, all the
- 4 maritime stuff that just adds to effects that -- in
- **5** addition to ours.
- 6 So that is where it's addressed is looking at
- 7 that very broad what else is out there going on in the
- 8 environment and other uses of the environment of the
- **9** Chukchi Sea and who is using it, and there is an increase.
- 10 And we have heard that from the Marine Exchange and the
- 11 U.S. Coast Guard and everything else. They have had some
- 12 reports where the shipping has increased quite a bit.
- 13 MR. EARL KINGIK: That's how come you
- 14 changed your name from MMS to BOEM.
- 15 MS. SHARON WARREN: No.
- 16 MR. EARL KINGIK: Yeah. I deal with MMS
- 17 before. I know BOEM.
- MS. KARMEN MONIGOLD: Wasn't it BOEMRE?
- 19 It was MMS and then BOEMRE and now it's BOEM?
- MS. SHARON WARREN: We are in three
- 21 separate agencies now. So Minerals Management was one
- 22 agency, and we had the offshore. And then they separated
- 23 us into two agencies, and the Office of Revenue -- Royalty
- 24 Revenue, Offshore Revenue went to another part of the
- 25 Department of Interior. And then we were -- that was that

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- 1 commenting now won't even go into effect until they
- 2 actually got those leases, after they've spent millions
- 3 and billions of dollars to acquire that right to drill,
- 4 and then they are going to blow smoke up our behinds on
- 5 how they are going to protect our coast waters.
- 6 So I mean, it just seems like it's backwards,
- 7 you know, in my opinion.
- 8 MR. WILBUR KARMUN, JR.: Karmen brought up
- 9 something. You know, not only we have concerns for
- 10 drilling and oil spills, but over the years we have been
- 11 experiencing less and less ice and more commercial
- 12 shipping. And that -- I'd like to see more also on
- 13 response times. I was in Wales this August, September,
- 14 and this is a cruise ship that's heading south going past
- 15 Wales. This is when I was in Wales. And if there is an
- 16 accident like in the Mediterranean where that one cruise
- 17 ship sank, I think we will need probably more response
- 18 equipment all along the coast. I mean, it's just not oil
- 19 drilling, but commercial traffic as well that -- I think
- 20 we need to see more planning, as well, for the increased
- 21 shipping. That's another concern.
- MS. SHARON WARREN: And we do address the
- 23 increased shipping as part of our cumulative analysis.
- 24 It's not something that we are involved with with the
- 25 shipping and everything else, but we do recognize that

- 1 time -- in fact, when we did the last Supplemental EIS, we
- 2 were BOEMRE, Borough of Ocean Energy Management,
- 3 Regulation and Enforcement. So that came out in August of
- 4 2011. And then October of 2011 we became two additional
- 5 agencies: The Bureau of Ocean Energy Management and the
- **6** Bureau of Safety and Environmental Enforcement.
 - So that's why you see on these documents -- like
- 8 the first EIS that we did, it was Minerals Management
- 9 Service, and then the Supplemental EIS that we did, we
- 10 were the Bureau of Ocean Energy Management, Regulation and
- 11 Enforcement. And now on this Second Supplemental, we are
- 12 the Bureau of Ocean Energy Management, but we still have
- 13 the same mission. We just have a different name.
- 14 MS. WANDA BALTAZAR: Wanda Baltazar. I
- 15 have a comment. Once the exploration you were mentioning,
- 16 they start to drill, the oil will be shipped out through
- 17 both? Is that what you said?
- **MS. BETTY LAU:** No, the pipeline.
- 19 MS. WANDA BALTAZAR: Through pipelines
- 20 through the -- up North Slope and then back down using the
- 21 existing pipeline that's already there?
 - MS. BETTY LAU: Right.
- MS. WANDA BALTAZAR: How would it get from
- 24 where it is now in the Chukchi up to the pipeline?
- 25 MS. BETTY LAU: There would have to be a

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- 1 pipeline to the shore and then across to the North Slope.
- MS. WANDA BALTAZAR: And then that is
- 3 separate from the natural gas. Is the natural gas
- 4 extracted the same way?
- 5 MS. BETTY LAU: The natural gas, the oil
- 6 and water all come out of the ground together. But what
- 7 we are saying is you wouldn't want to commercially produce
- 8 the gas for sale at first. You would want to put that gas
- **9** back down in the ground where it came from. And that
- 10 would keep the pressure up in the underground area, and it
- 11 would allow you to produce more oil, which is what they
- 12 have done at Prudhoe is reinject it. And then at a later
- 13 point when you wanted to produce that natural gas, then
- 14 you would bring it up and then pipe it across.
- 15 MS. WANDA BALTAZAR: Isn't Barrow using
- 16 natural gas to heat their homes?
- **MS. BETTY LAU:** Yes, but this is a lot of
- 18 natural gas. It would be -- it would be more than the
- 19 local people could find a use for. But, you know,
- 20 that's -- that's at least what we are -- what we are
- 21 saying might happen.
- 22 MS. WANDA BALTAZAR: And when might this
- 23 happen?
- MS. BETTY LAU: Well, it's -- you know,
- 25 that happens over the course of our scenario, 77 years.

- 1 away, then you could make comment and see the actual final
- 2 EIS before through regs.gov. And then the information
- 3 will go to the Secretary of the Interior, and that's who
- 4 will sign the Record of Decision to say what the decision
- 5 is going to be on this lease sale.
- 6 Again, the lease sale already happened. It
- 7 happened in 2008. Leases were issued. And so this is
- 8 relooking at that decision and whether or not to continue
- 9 with that decision or not continue with that decision.
- 10 And so -- and then we will know, you know, sometime in
- 11 March what that decision will be.
- Just so you know, this case is -- I mean, this
- 13 is in litigation. And so it will go back to the court.
- **14** So it is an ongoing litigation process. So that even
- 15 takes time, as well, so --
- 16 MS. KARMEN MONIGOLD: So I'm looking at
- 17 this Arctic environmental research. And it says scheduled
- 18 for 2015. And some of these research proposals look
- 19 really, really good, but why is it -- why aren't they
- 20 doing this before they sell these -- or they approve this?
- **21** Because, you know, a lot of this information would
- 22 determine whether or not, you know, what I would believe.
- 23 I mean, if I knew where the dye is going to go to show
- 24 where a spill would go, how they are going to -- you know,
- 25 the freeze-up conditions of the Chukchi Sea, you know,

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- 1 And about halfway through you start producing the natural2 gas for sale.
- 3 MS. WANDA BALTAZAR: So once this large
- 4 document gets submitted -- at the end of the month it goes
- $\mathbf{5}$ to $\mathbf{45}$ days, and then did you say the department -- who did
- 6 you say signs it within 45 days?
- MR. MIKE ROUTHIER: Well, the 45 days is
- 8 the comment period we are in right now. And then based on
- **9** the comments that we receive, we are going to revise the
- 10 document and make a final document. Then 30 days later
- 11 the Secretary of the Interior can make a decision based on
- 12 that final document.
- 13 MS. WANDA BALTAZAR: Secretary of Interior
- **14** decides whether we should go ahead and approve this final
- 15 document?
- 16 MR. MIKE ROUTHIER: Right, right.
- 17 MS. SHARON WARREN: And the final document
- 18 is put on our website. We let folks know that it is out
- 19 there. And that 30 days people can provide comments
- 20 during that time frame in that 30 days on the final
- 21 document the same way. It will be through
- 22 regulations.gov. So when you see the final document,
- 23 again it's a short time frame. It's just 30 days.
- And I think this is probably where you are
- 25 coming from. If you knew that we sent it out to you right

- ${\bf 1}\,$ these are things we should know before we even mess with
- **2** that stuff.
- 3 MS. HEATHER CROWLEY: I can speak to that
- 4 a little bit. Those are the studies that we are starting
- 5 this year. They are -- we have our continuing studies
- 6 program. We have been focusing very heavily on research
- 7 in the Chukchi Sea for quite a few years, at least since
- 8 2007, 2008 when this lease sale initially was being put
- 9 together. And we spent millions and millions of dollars.
- 10 And this sheet that you are looking at right now is
- L1 showing what we are starting up right now.
- So we have a number of -- many ongoing studies
- 13 out there looking at all of the critters, the whales, the
- 14 seals, the smaller things, the krill that the whales eat,
- 15 the water column, different things in the water column,
- 16 the sediments, heavy metals -- I'm sorry. Not heavy
- 17 metals, but trace metals in the sediments and the
- 18 composition of the sediments and also in the water column,
- 19 just -- there is just so many studies that it's
- 20 becoming -- the algae, looking at the phytoplankton. All
- 21 of these studies that we have been working on for many
- 22 years, this focus sheet is just meant to sort of emphasize
- 23 the ones we are starting now.
- And actually that dye tracer study has already
- 25 begun, and they actually were out there and they have done

Bu Pu	reau of Ocean Management blic Hearing for 193 Remand - Chukchi Sea		Kotzebue, Alask November 17, 201
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1	their first testing with the dye. I can't speak to the	1	right beside us. Nowadays when they hear a motor or
2	results of their first tests. I'm not	2	something, a loud motor, they take off like they did a
3	MS. KARMEN MONIGOLD: So if we wanted to	3	little bit on Firecracker. How many whales did they see?
4	find out, you know, the studies you are talking about, is	4	Lots of whales. And the scientists say they never see
5	there a place on-line we can go to?	5	nothing. We got people that are on the ships that watch
6	MS. HEATHER CROWLEY: Yes. Every year we	6	them. I forget what they call them.
7	publish our Alaska Annual Studies Plan. We just put this	7	MR. NOAH NAYLOR: Observers.
8	out. I have a copy that I can leave here. I was going to	8	MR. EARL KINGIK: Observers, yeah. But
9	share it with Noah.	9	they did see a lot of whales and stuff like that. And the
10	MR. NOAH NAYLOR: I have it already. Just	10	scientists make reports, maybe we see two today. But
11	got it today.	11	might have been they might see maybe 10 or 20, but they
12	MS. HEATHER CROWLEY: Also we post it	12	write down two. We hear this from the observers, you
13	every year on our website. And our studies website is	13	know.
14	really easy to remember. It's www.boem.gov/akstudies, all	14	MS. HEATHER CROWLEY: Yeah. I think
15	one word. And there will be a link to this document right	15	different observers have had different counts.
16	at the top of that page. And it lists we have little	16	MR. EARL KINGIK: Marine mammal observers.
17	two-page descriptions of every one of our studies that we	17	That's what they are called. They did studies before.
18	have currently ongoing, plus the studies that we are	18	That's when we find out that oil exploration is no good
19	planning to start this year. And we actually even have a	19	for us because we were beginning to find dead gray whales.
20	section of ones that we are thinking about for next year.	20	We're seeing seals without any hair. We lose our tomcods
21	MS. KARMEN MONIGOLD: And then does it	21	for how many years? Slowly our tomcods are coming back
22	tell the results of past?	22	again.
23	MS. HEATHER CROWLEY: Then we have some	23	MS. HEATHER CROWLEY: I should probably
24	other sites. We do post the reports from all of our	24	clarify, our studies program actually dates back to the
25	s completed studies on our website also. And on that same	25	1970s. We have been doing studies from the 1970s. Our
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3 different places on our website. So all of our study
 4 reports are posted up there.
 5
            MS. KARMEN MONIGOLD: Thank you.
 6
            MR. EARL KINGIK: Did you say 19 what?
 7
            MS. HEATHER CROWLEY: Excuse me?
 8
            MR. EARL KINGIK: 19 what?
 9
            MS. HEATHER CROWLEY: I didn't say 19.
10
            MR. EARL KINGIK: 1990, I heard you.
11 There were some operations before late '80s, you know.
   And those years we got to see a lot of dead whales.
   Remember that? A whole bunch of dead whales all the way
```

seals. Seals' hair was coming off and stuff like that.

25 they take off right away. They take off. They used to go

1 page down near the bottom there is a link. There is a

2 couple different links. We have them in a couple

from Point Lay all the way down to Wales. A lot of dead

4 time, much of our research was more directed towards the 5 Beaufort Sea during that time, but when the shift -- you 6 know, there was more attention being focused back on the Chukchi, of course our studies also followed suit. So we have been out there for a long time and we have done, you know, a lot of work in the Chukchi over the years. It's just we did have a period of time where we didn't do as 11 much --12 MR. EARL KINGIK: I had a chance to go down to Deep Horizon when it happened, and I get to see 14 the operation of our government, and I get to see the operation of our oil companies. They were doing nothing. They were doing nothing for one month. They just watch

25 says, I'll take care of everything. We got a barge out in

1 focus would shift, so we did do quite a bit of work in the

3 because MMS was not focused on the Chukchi Sea at that

2 Chukchi in the 1980s, in the '70s and '80s. And then

They did seismic operations before. That's how come they found out there is a lot of oil up here. And nobody likes it. That's how come it's called the largest oil spill in to talk about that because they did some seismic America, the Deep Horizon. You go out there to the ocean, operations before, and we end up seeing a lot of dead gray you smell that, you get a headache right away. Your eyes whales and a lot of seals losing their hair and stuff like start. It was terrible. We were down there for five days. Lucky the Indians invite us down there, Indians 22 from Florida. So we had a chance to take a look at what I took a skin boat trip from Nome, Alaska to 23 Canada, and all those animals were -- they love to see me. 23 would happen if there was a big, large oil spill. 24 They are there, they are happy. Now we take a boat trip, Now we got big words. The government always

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21 that, you know.

17

22

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- 1 the ocean right now in the Arctic, and nothing is being
- 2 done about it. Same thing is going to happen if we have
- 3 an oil spill. Nothing will be done again.
- 4 That's why I'm really trying to fight hard to
- 5 try to get this oil spill -- this offshore thing, you know
- 6 because in our history, in our stories they say there will
- 7 be black ice coming from the north. What is that? That's
- 8 oil coming from the north. Instead of ice it will be oil.
- **9** It will be a disaster. We don't want that to happen.
- 10 That's how come I really fight hard -- I tried to read
- 11 that book. I can't even understand it. I went to school.
- 12 I can't understand what they are talking about, you know.
- We got to figure out a better way to inform our
- 14 people. You know, information is very important for our
- 15 people. Without information we would be dead. I don't
- **16** want to see that happen.
- I love to eat my muktuk. I love to eat my
- 18 walrus. I love to eat my tomcod, even though it's that
- **19** big, in one bite.
- 20 MS. KARMEN MONIGOLD: You better go
- 21 hooking while you are here. They are bigger.
- MR. EARL KINGIK: We got some sheefish
- 23 already.
- MS. FRANCES MANN: I've got a comment for
- 25 you, Karmen, and everyone else here. And also you, Earl.

- 1 But there is other opportunities in the future to look at
- 2 a specific plan. And then you can get down in more
- 3 details. One of the problems with this is as a scenario,
- 4 it's a hypothetical scenario that what could happen. So,
- 5 you know, it's one of many possibilities, as Betty and
- 6 others developed. So that by itself kind of makes it a
- 7 little bit difficult, not specific.
- We would expect a very, very specific plan from
- 9 a company if they said we would like to move forward with
- 10 a development and production plan, and it would state a
- 11 lot of those things you might be looking for, which is
- 12 where are you going to put this sort of equipment? What
- 13 about that? That will be coming in the eventuality that
- 14 someone decides to move forward with the development and
- L5 production plan.
- 15 production plan.
- 16 MS. SHARON WARREN: And our environmental
- 17 studies is always ongoing. We don't stop. We constantly
- 18 are doing environmental studies so that we have the lease
- **19** sale stage. And like the next stage would be the
- 20 exploration stage. And so those studies provide us even
- 21 more information about specifics of what we really need to
- 22 look for when we are looking at something very site
- 23 specific. And that's why we continue to have those
- 24 studies so that we can further refine what are the
- 25 protections that we need to make sure are there and

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- 1 Part of it is so this particular document we are looking
- 2 for comments on is to affirm the lease sale. But I want
- 3 to make sure you understand, it's not the only time we do
- 4 an environmental document on aspects of what could be a
- 5 development plan out there. So the -- if the lease sale
- **6** is affirmed, it provides an opportunity for a company to
- 7 do an exploration plan. And when they do submit plans for
- 8 that, we review that. We do another environmental
- **9** document and there is another chance for the public to
- 10 comment. And if that is successful, if they believe there
- 11 is recoverable oil out there, they would then submit a
- 12 development plan. Then we would do another environmental
- 13 review document.
- I agree with you, this is on a pretty
- **15** abbreviated timeline. Some of that is out of our control.
- **16** We have got a lawsuit and we are trying to kind of answer
- 17 different masters, if you will. This is pretty fast.
- 18 That's not the norm. A normal EIS -- like if there was a
- 19 development plan, we would do an EIS, and that's, you
- 20 know, an 18-month period. There is usually a much longer
- 21 time period to provide comments.
- So, you know, we admit to you it's a pretty
- 23 abbreviated comment period. So that's a little bit out of
- 24 the norm, but it's a little abnormal because this lease
- 25 sale was already held. So it's a little bit different.

- 1 everything else.
 - So like Heather said, our studies program -- in
- 3 fact, we celebrated not too long ago 40 years of
- 4 environmental studies, and we will continue to do them as
- 5 long as there is operations out there. There is -- you
- 6 know, there is production right now that -- in the
- 7 Beaufort on the Northstar, and there has been studies
- 8 going on all the time on that of what is anticipated, what
- 9 it does and everything else. But it is. It's a continual
- 10 loop when we do environmental studies. And that's why we
- 11 bring that up tonight to let you know that we are
- 12 continuing to do studies. And as we find new information,
- 13 then we make adjustments, adapt to different things of
- 14 what needs to be done out there. It's not 100 percent.
- 15 There is no 100 percent guarantee.
- MR. WILBUR KARMUN, JR.: One of the things
- 17 I want to bring up, too, is by January we will be running
- 18 under new Congress, and I have been paying attention to
- 19 the news that a lot of the Republicans really want to push
- 20 for the drilling up here. And I think it would be very
- 21 important that you folks let Congress know that they can't
- 22 put the horse before the cart because if Congress really
- pushes for offshore and ANWR and they don't see thestudies that you folks have been doing and the other
- 25 folks, it's going to really hurt us. So that's something

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2 MS. CINDY FIELDS: The cart before the

3 horse.

MR. EARL KINGIK: I'm an NGO.

5 nongovernmental organization, but I do work with

6 organizations that will take people from the tribes to

7 Washington, D.C. to talk about -- like you can tell their

8 boss, they come here, there was only three people and they

9 approved it. You can talk to them like that. Congress

10 likes to listen. They would rather listen to a real

11 person. But every six months we go to Washington, D.C. to

12 go talk about offshore, Pebble Mine and other activities

13 that goes on in Alaska. We take at least maybe 18 tribes

14 from all the 210 tribes. We take 18 people to Washington,

15 D.C. to go tell the story. We don't go lobbying. We go

16 tell the story about our way of life and what we expect to

17 happen now in our area. That's how come we go to -- I

work for the tribe and I send tribes to Washington, D.C.

19 I got 16 of them in Washington, D.C. right now on Pebble

20 Mine. It's not only offshore. I do mines, too. I

21 got four I'm working on right now. But my main goal is

22 offshore.

23 My question earlier before, I need to

24 understand. I'm trying to figure out -- explain one

25 thing. When I first start, MMS first went to Point Hope,

1 students love it. And when the students come home, their

2 parents say, what did you learn in school today? Today

3 Earl Kingik talk about offshore. Yeah. Invite your

4 parents. It works.

When I first have an offshore meeting with

6 Minerals Management Service, there was only five Elders

and three teenagers; eight of us. And those Elders hardly

could understand English. I had to translate for them.

We didn't know how to translate, but I translated for

them. I was working as wildlife and parks director. But

I think next time you are going to have something like

that, you should go up to the school and talk to the

13 students and tell the students to invite their parents for

14 the 7:00 meeting. That's just my recommendation. It

worked in my hometown.

16 MS. SHARON WARREN: We will be at your

17 hometown tomorrow. We will be in Point Hope tomorrow, so

we will see how many people are there. We did have a

really good showing the last time we were in Point Hope.

20 A lot.

21 MR. EARL KINGIK: My people are -- my

22 tribal president always makes sure everything is all

23 right. He's the mayor right now, too, but -- how was your

24 guys' tribal government meeting today,

25 government-to-government meeting? You guys get to have

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1 one?

MS. SHARON WARREN: We are going to come

3 back.

2

MS. KARMEN MONIGOLD: I've got a

5 recommendation. I don't know if it would help, but when

6 you come out with this type of information, you know, like

how you just did a presentation, I mean, that's kind of a

8 quick thing and we are all sitting here like, we didn't

9 read the book. So to have a presentation on what captures

10 that book, you know, maybe more highlighted towards our

concerns, which is subsistence, oil spills, you know,

what's going to affect us directly so that it -- you know,

at the beginning of this 45-day period, we have time to

14 think about, okay, let's now find what page that was or

whatever so that we can respond and get more people

involved because it's -- you know, now I'm going to be

rushing to try to read stuff and trying to figure out what

page I've got to go to. And if my computer is not

19 running -- and so that would just be --

20 Because I have been to some of Shell's

21 presentations, and they have done really well as far as

22 explaining how they are doing on animal studies and --

23 I've learned more tonight from you guys than I

24 have all the meetings I've gone to about being able to go

25 on-line and look this stuff up. And you know -- and one

1 I work as a wildlife and parks director. Okay? And they

2 called my office. They go, we have a public meeting.

3 They only gave me 42-hour notice. 42-hour notice, and

4 everybody is out whaling. Everybody is doing other

5 things, you know. How can I get people to go to meetings? **6** I took them to the school. I took them to the school.

7 And I let the people like you guys -- before you guys came

8 around, but people you replaced, I let them talk to the

9 students.

10 Next time they come around, man, I had about 30

11 parents come to our meeting. Maybe we can do that around

12 here. Maybe you guys go up to the school and talk to the

13 high school students like I did and tell them to tell

14 their parents to go to the meeting. It's important for

15 them. It's their future, you know. It's important. It's

16 your future. Anything bad could happen. But you got to

17 be involved. Even though you are young, you got to get **18** involved right now.

19 So they went home. Got a meeting at 7:00. Wow,

20 people started coming in. Maybe you guys could set up

21 some kind of meeting at the school. I always -- every

22 time I go to villages, I always make sure I have a 23 gathering at the school to talk about my offshore

24 activity, you know, about my trip to Deep Horizon, my trip

25 to ANWR, my trip to Prudhoe, all these, you know. And the

REPORTER'S CERTIFICATE

I, MARY A. VAVRIK, RMR, Notary Public in and for

Bureau of Ocean Management Public Hearing for 193 Remand - Chukchi Sea

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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	other thing I would recommend is to reach out to the advisory councils, the subsistence advisory because I'm on the Kotzebue Sound Advisory Committee, and while we service for the Fish & Game, we are still there to protect our wildlife for our people. That's our bottom line. And so that could be an avenue. Because like Karmen Daggett [ph], she mass e-mails all of us to let us know what's	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22
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	1	22
23	MS. KARMEN MONIGOLD: I object.	23
24	MR. EARL KINGIK: No action taken. Come	24
25	back later.	25

the State of Alaska do hereby certify: That the foregoing proceedings were taken before 5 me at the time and place herein set forth; that the proceedings were reported stenographically by me and later transcribed under my direction by computer transcription; that the foregoing is a true record of the proceedings taken at that time; and that I am not a party to nor have I any interest in the outcome of the action herein contained. IN WITNESS WHEREOF, I have hereunto subscribed my hand and affixed my seal this ____ day of November 2014. 5 6 MARY A. VAVRIK, Registered Merit Reporter Notary Public for Alaska 7 8 My Commission Expires: November 5, 2016 3

MR. WILBUR KARMUN, JR.: Thank you.

MS. SHARON WARREN: Are there other

3 comments that you have? So do we want to go off record

- 4 and call it a night? Okay. Thank you for coming. Thank
- 5 you for sharing. We have a lot of information. We have
- 6 got a lot of good things of hearing how better to do it in
- 7 the future and everything else so that we can have it
- 8 added to that. So I really appreciate it. And we will
- 9 definitely take these back and consider them and see how
- 10 we can improve the process for everybody.
- 11 So thank you again.
- (Proceedings adjourned at 8:30 p.m.)

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Kotzebue, Alaska

November 17, 2014

Bureau of Ocean Management Public Hearing for 193 Remand - Chukchi Sea

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                            PUBLIC HEARING
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                                  FOR
                       193 REMAND - CHUKCHI SEA
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                 BUREAU OF OCEAN ENERGY MANAGEMENT
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10
                          Point Hope, Alaska
11
                       Taken November 18, 2014
12
                       Commencing at 7:10 p.m.
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                Volume I - Pages 1 - 108, inclusive
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                                Taken at
                        Qalgi Community Center
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                         Point Hope, Alaska
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    Reported by:
23
    Mary A. Vavrik, RMR
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MIDNIGHT SUN COURT REPORTERS (907) 258-7100

	Page 2		Page 4
1 2	A-P-P-E-A-R-A-N-C-E-S Bureau of Ocean Energy Management:	sort of a team h	nere. got Mike Routhier. Mike. Mike is going
3 4	James Kendall Regional Director	to give a preser	ntation when I'm done speaking. He's the
5	Sharon Warren Deputy Regional Director		er about the subject we are going to speak And then Fran Mann. Fran, she is a
6 7	Michael Haller Tribal and Community Liaison	•	ne group that's actually producing this Impact Statement that Mike is going to talk
8 9	Michael Routhier Management Analyst Betty Lau	about.	
10	Chief of Resource and Economic Analysis Section Frances Mann	C	ot Mike Haller. You met Mike. Mike is ke is very special because we have offices
11 12	Section Chief Environmental Analysis Section Heather Crowley		course, in headquarters Washington. We've Gulf of Mexico, in California, and Alaska.
13	Studies Plan Coordinator For U.S. Department of the Interior, Office of the	But one thing to	he Department of Interior is very cognizant
14 15	Elizabeth Gobeski		alf of all the tribes in the United States So we were the first region to have our
16 17	Attorney Advisor Taken by: Mary A. Vavrik, RMR	•	liaison, and that's all that Mike does, at we reach out to the tribes to do the
18	Taken by. Mary A. Vavilk, AMA	right thing. An	d so he helps coordinate these meetings.
19 20	BE IT KNOWN that the aforementioned proceedings were taken at the time and place duly noted on the title page, before	-	you have got on how we can do this better, Mike, or you can contact Sharon or I.
21	Mary A. Vavrik, Registered Merit Reporter and Notary	•	etty Lau. Now, Betty is an engineer.
22 23	Public within and for the State of Alaska.	C	into this presentation, if you have t engineering, Betty is the person to ask.
24			Crowley. Heather is one of our r science program. So last time we were
25		Selentists in ou	
1	Dama 0		Dana /

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Page 5

P-R-O-C-E-E-D-I-N-G-S 1 MR. MICHAEL HALLER: I'd ask Irma to come 3 up and offer a prayer. 4 (Prayer offered by Irma Hunnert.) 5 MR. MICHAEL HALLER: I'd like to introduce 6 Dr. Jim Kendall, who is the Regional Director for the

Bureau of Ocean Energy Management, also known as BOEM. DR. JIM KENDALL: Thank you, Michael, and

9 thank you for coming out today. For some of you that may

not be familiar with B-O-E-M, BOEM, the Bureau of Ocean

11 Energy Management, we used to be called the Minerals

12 Management Service. So some of you may recognize the term

13 MMS. We are a part of MMS that has been broke out that

14 just does the land management part of oil and gas, you

know, exploration and development and leasing.

16 But before we go any further, let me introduce

17 the team here. I'm Jim Kendall. I'm the Regional

Director up here for the state of Alaska. My boss is in

Washington. Okay? So I'm basically the highest person in

the region in Alaska. I report directly to the big, big,

21 big boss in Washington, D.C.

22 The next person here is Sharon Warren. Now,

23 Sharon is my deputy. If I get eaten by a polar bear,

24 she's the boss. So she goes wherever I go so she could

25 step right in and take over. And you can see that we are

1 up here, there were questions about science, and we had

2 some of the answers. Then we decided we need to bring

3 somebody from our science side of the house that could get

down into some of the weeds, if necessary.

5 And last, but not least, we have got Liz

Gobeski. Now, Liz helps us. She works for the Department

of Interior. She's in the Solicitor's Office, and she

8 helps us make sure that we follow the law and everything

9 is where it should be so when we present this document to

the Secretary of the Interior, all the right pieces are 11

12 Now, what are we here for? Mike is going to go

into great detail over this, but the bottom line is there

was a Lease Sale 193 in 2008. Okay? That is where Shell

got the leases in the Chukchi. The courts, the judges

looked at it and they said, you know, we really have

something in there you need to fix. So they sent it back

to us and said, please take this document, it needs to be

revised and have a Supplemental Environmental Impact

Statement. Okay? So that's what we are here about

21 tonight is a Supplemental EIS to the one that was done

22 probably about 2007 for a 2008 lease sale.

23 The way we are going to run the meeting after 24 the presentation is, of course, we would invite the Elders

25 to speak first. And we are very pleased tonight to have

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	1 an old friend of ours, Dorcus Rock. Dorcus will hel	p us 1	1 Jack on the line. Jack, this is Jim Kendall, Regional
	2 with any interpretation we need to do. And for some	e of us 2	2 Director for BOEM. How are you?
	3 that are Yankees, especially from the Northeast, we	have a 3	MR. JACK SCHAEFER: I'm okay.
	4 tendency to speak kind of fast. So feel free to tell us	3 4	DR. JIM KENDALL: We very sorry to hear
	5 either to slow down or speak up or repeat ourself.	5	5 about your loss. And with that, I'm going to turn it over
	6 This is your meeting. If we don't give you wh	at 6	6 to Mike Routhier to speak. And I've asked all of my team
	7 you need, you can't help us make a better document.	So 7	7 to speak a little extra loud so that you can hear them on
	8 that's what we are here for. The document we are pu	utting 8	8 the phone, sir.
	9 together is not a decision document. It's an	9	9 MR. JACK SCHAEFER: Okay. Thank you.
	10 informational document that Mike will go into. It go	oes to 10	DR. JIM KENDALL: You are most welcome.
	11 the Secretary of the Interior. We have to make sure	our 11	MR. MIKE ROUTHIER: Okay. Is there anyone
	12 Secretary, Sally Jewell, has everything she needs,	12	who cannot see the presentation?
	13 including what you think, in front of her before she	makes 13	All right. The document or project that we're
	14 any decisions.	14	4 here to talk about tonight is the Draft Second
	When we get into the public comment part of		5 Supplemental Environmental Impact Statement, which is a
	16 meeting, you know, everybody is going to have a ch	ance to 16	6 NEPA document. It's an environmental review document.
	17 speak, and probably many of you may speak more the	nan once. 17	7 And the decision it concerns is Chukchi Sea OCS Oil and
	18 But let's try to keep, you know, the information or the	ne 18	8 Gas Lease Sale 193.
	19 comments to maybe three minutes at a shot so that	19	MR. STEVE OOMITTUK: Excuse me. Can you
	20 everybody has a chance, and then we will circle arou		o speak up a little more?
	21 And if you have anything in writing, okay, anything		
	22 writing, please provide it to us. And that's going to	go 22	1
	23 to the second-most important person in the room.	23	· · · · · · · · · · · · · · · ·
	You all are the first important people in the		4 federal agency inside the Department of the Interior. And
	25 room. The second-most important person in the roo	m is our 25	5 we're here to talk to you about a document that we

Page 7

2 document.

Page 9

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1 dear friend Mary Vavrik, and she's taking all the notes.
 2 So when it's your turn to speak, please give your name.
 3 If you have any written comments you want to give us,
 4 let's give those to Mary. Speak loudly so she can hear
 5 you so when we go back we have all these notes that we can
 6 look at, go over and make sure the draft document, before
 7 it's finalized, okay, has your input in it.
         We have to leave tonight about 10:00. So we are
 9 going to wrap this up about 9:30ish. But we have got
   plenty of time for everybody to say something to have a
11 discussion, and maybe even multiple times to say
12 something. And I've probably spoken enough as it is now.
13 So what I'd like to do is I would like to turn it over to
14 Mike Routhier who will start the presentation -- Betty
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will be helping -- on exactly what the Supplemental

about a couple years ago. Okay?

With that, Mike, take it away.

21 this down a little closer so that people can see it a

24 who need a translator that are here? Dorcus is available.

DR. JIM KENDALL: Let's make sure we get

Environmental Impact Statement is, why it's important and

how it differs from the one we came up and spoke to you

First I'll talk a little bit about our agency's 4 responsibilities. BOEM's primary responsibilities are 5 managing development of energy and mineral resources on the Outer Continental Shelf, or the OCS. And that's basically the sea floor from three miles out to 200 miles. 8 To do that mission, we implement a five-year oil and gas leasing program where we look at various parts of the country and try to find places that might be suitable for holding lease sales. In those areas we would hold individual lease sales. We conduct environmental reviews 13 and we conduct resource evaluation. And the important point is that our work follows a four-step process. First is a five-year program. Some of you may be familiar with that term. That's where we identify where we might hold lease sales. Then we plan for the specific lease sales like we did with Lease Sale 193. That's a specific lease sale. Only after the lease MR. MIKE ROUTHIER: We are going to move sale stage might we get into the exploration plan phase in which a company would submit plans to us and say, hey, we want to drill on this lease, what do you think, we would MR. MICHAEL HALLER: Are there any Elders review that and potentially improve it if it meets our

And only later might we get into the fourth step

1 prepared. And we're here to get your comments on that

22 little bit better.

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18 19

20

23

25

25

24 standards.

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Page 10 1 in our process, which is development and production plan 2 approval. That's where a company would propose a plan for 3 developing a resource. And again we would review that 4 plan to see whether it meets our standards. Here it's interesting. We are actually at the 6 second stage, which is planning for the individual oil and

7 gas lease sale. We are re-evaluating a decision to hold a lease sale, which was Lease Sale 193. So a little background information on Lease Sale

10 193. Back in 2007 the agency prepared an Environmental 11 Impact Statement to help the Secretary decide whether to

12 hold a lease sale. In 2008 the agency held a lease sale, 13 Lease Sale 193, and issued 487 leases. Later on in 2010 14 and 2011 the agency had to prepare a Supplemental

15 Environmental Impact Statement. They had to re-evaluate

16 certain things over again because the District Court here

17 in Alaska said that we didn't do a good enough job the 18 first time.

19 After we prepared that supplement, we came out 20 to the villages like Point Hope and presented what we did.

21 The District Court said, okay, you fixed the problem. We

22 are going to dismiss the case. However, the plaintiffs in

23 that litigation appealed to the Court of Appeals. 24

And in that appeal to the Court of Appeals, the 25 plaintiffs raised two issues. One was the missing

So this analysis is going to be in a NEPA

2 document, an Environmental Impact Statement. When we set

about creating this document, we said we could use some

4 help from other agencies and other entities, other

government groups. So we have a lot of cooperating

agencies that helped us with this document. They include

the Bureau of Safety and Environmental Enforcement, or

BSEE. It includes the Bureau of Land Management, BLM; the

9 State of Alaska; the North Slope Borough; and the

Northwest Arctic Borough. We also had other agencies

participate and sort of help us out in certain ways.

Those include EPA, Fish & Wildlife Service, NMFS and the

As a NEPA document, a part of this document is

Coast Guard.

14

15 alternatives. We present several alternatives to the decisionmaker for her decision. And it carries forward

the same alternatives that have been analyzed in the past.

We have the proposed action, having Lease Sale 193. We

analyzed a couple of the deferral corridors, and we

20 analyzed the no-sale alternative.

21 What's important to understand is that no new

areas would be offered for lease through this process.

We are only looking at the decision to hold the original

24 lease sale. We are not going to be selling any additional

25 leases or leasing in any more areas through this process.

Page 11

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1 information issue, but they said, you know what? That 2 supplemental document you prepared, that satisfied that

3 issue. You are okay there. But the other issue that was

4 appealed concerned that first document back in 2007, the

5 Environmental Impact Statement that the agency prepared,

6 and it concerned a certain scenario.

So when the agency was describing what type of 8 environmental effects would occur from holding Lease Sale

9 193, it assumed a one-billion-barrel

10 exploration/development scenario. Basically they analyzed

11 the effects of one billion barrels of development. But

12 the agency also acknowledged that if that first field were

13 to go in, if that first amount of development were to

14 happen, then more could follow, but they didn't analyze

15 the rest of that development.

16 And the Court of Appeals didn't like that. They 17 said that's a deficiency and you need to correct that

deficiency. So that's what we are trying to do now. We

19 are going back and doing more environmental review to try

20 to fix what the Court of Appeals found was wrong.

21 So this new document contains more analysis and 22 it analyzes a bigger exploration/development scenario.

23 Instead of the one billion that was analyzed previously,

24 we are analyzing 4.3 billion barrels of oil production,

25 along with gas production, too.

I mentioned earlier about a new scenario as

being an important part of this document, and here is

where I'm going to turn it over to Betty, who was the

primary author of that new scenario.

5 MS. BETTY LAU: Okay. When we looked at 6 the --

7 (Translation by Dorcus Rock.)

MS. BETTY LAU: As Mike said, the reason

9 that we are taking another look at the scenario is because

the Court didn't think that the one billion barrels was a

big enough volume of produced oil to analyze for our

environmental impacts. So we took a completely fresh

look, a new look to see what a reasonable volume of oil

14 might be. We started with looking at everything that

might be in the Chukchi Sea planning area, which is much

more than we ever leased. And when we looked at that, we

have maybe 8,500 prospects, which are things that might

possibility be drilled.

But then when we looked at of all those, which ones could we actually produce oil with using our

technology as it is right now, and that shrinks it right

down to 1,400 prospects and 15.4 billion barrels of oil.

But that's what you might be able to produce at any price

24 without thinking about economics. So if you think about

25 how much you could produce at \$110 a barrel for oil, which

Point Hope, Alaska Public Hearing for 193 Remand - Chukchi Sea November 18, 2014 Page 14 Page 16 1 is what it was when we looked at this -- although the 1 those satellites. 2 price of oil has gone down -- then it shrinks to 11.5 MS. MAE HANK: So what if the first drill 3 billion barrels. 3 site does not bring in as much as they thought; would they But we are not talking about the whole Chukchi. continue to try to do other wells, other drilling until 5 We are looking at just what was leased and what might be they find an anchor field? 6 produced as a result of this lease sale and what might be 6 MS. BETTY LAU: Our assumption is you have 7 produced cumulatively. If this sale were to result in a got to have that one big one or they won't -- they won't 8 successful project, then more exploration could happen set up a development project. That's what's required. 9 after that from a different lease sale. So when we looked MS. PEGGY FRANKSON: What if they don't at that, we got down to 6.4 billion barrels. 10 find it with as much as they thought would be there within 11 But the number we analyzed in detail was the 11 the first well or the second well of exploratory drilling 12 number that would result from this lease sale. This is a or the third well; do they -- what number do they stop at statistical number. It's not that we know that this oil until they say, okay, this isn't how much we thought we would find here? Let's stop. There is nothing there. is out there. We don't have that kind of information because you have to drill successful wells to learn that. 15 MS. BETTY LAU: It really depends on the 16 This is based on what we can tell from seismic information company. That's an internal decision they would have to and our statistical model. So this is the best we can do **17** make. with the information we have. 18 MR. MIKE ROUTHIER: And that's a very real When you look at everything, we came up with a 19 possibility. In fact, when we did the modeling to produce 19 20 number of 4.3 billion barrels to analyze, which is much these statistics, we found that the most likely case is 21 larger than the one billion barrels, and we can explain that they wouldn't find anything big enough to justify the 22 how we got there. We can explain the process that we used development. As you know, it's very expensive to do 23 to get this number. And that was another important part anything out here. It's very remote, not a lot of 24 of the Court's decision. 24 infrastructure. So it would take a very, very large field 25 So then it was my job to say, okay, what if we 25 in order to justify the companies spending all that money Page 15 Page 17

1 have 4.3 billion barrels; how do we develop that? What do

2 we do -- what would have to happen to make that

3 production? Well, we assumed that you had an anchor 4 field. We think of an anchor field as the one that has to

5 be there. There has to be one big successful field. And

6 then other smaller fields -- yes.

MS. MAE HANK: Could you explain anchor 8 field to me, please?

MS. BETTY LAU: Okay. Yes. That's the 10 big field. That's the main one. And without that anchor

11 field, the smaller fields don't get developed because that

12 anchor field is what brings in -- did that help?

MS. MAE HANK: Explain anchor field. Is 13

14 it the blockage, the area that was sold, or just the

drilling area?

MS. BETTY LAU: It's the -- the reservoir 16

17 area and how much oil is within that area that will really

make a big amount of money for an operator. That's --

19 that's the really big successful one. So we think of that

20 like an anchor because that's what holds it down. That's

21 what holds it in place. And then once you have got a big

22 field like that, then maybe some other smaller ones will

23 be economic because you have a pipeline, because you have

24 the infrastructure. The things are in place to produce

25 oil. So then you can bring smaller fields. And we call

1 to create infrastructure. In most of the modeling results

2 that didn't happen. But because we need something to

3 analyze in our environmental document, we just assumed

4 that they did find them. So it's a hypothetical scenario.

MS. MAE HANK: So is that based on the

satellite field? Is that what you are talking about,

where they hypothetically think there is oil in that area

based on the satellites?

MS. BETTY LAU: Our geologists gave us a

number of less than a ten percent chance of success. That

11 means when they drill a well, they find oil in commercial

quantities to be able to produce and make money. So --

but we can't -- so that means statistically, as far as we

14 know right now to our best knowledge, it's unlikely that

anything will happen. But we can't analyze the

environmental impacts of nothing happening, so we have to

17 have numbers.

MS. MAE HANK: So the satellite field --

19 MS. BETTY LAU: The satellites are the

20 small ones that might -- if you have got your anchor field

and you have got something that produced, you might add

22 another smaller field and you would produce, then,

23 therefore more. But the satellite cannot stand alone.

MS. MAE HANK: Mae Hank, Inupiat Community 25 of the Arctic Slope Tribal Council member.

Min-U-Script®

18

Pu	iblic Hearing for 193 Remand - Chukchi Sea		November 18, 2014
	Page 18		Page 20
1	MS. BETTY LAU: Just a minute, Earl.	1	Environmental Impact Statement is something that I've
2	There is someone in the back with a question.	2	always been concerned because it really bothers me when
3	MR JIM NASH: What is the deepest depth	3	you have all the seismic going on and around the area like
4	4 of on seabed where you have exploratory drills? What	4	April, May, April, September when the migrations of the
5	is the deepest part of the seabed where you have your	5	whale is going on through Point Hope and then up to Canada
6	5 exploratory wells?	6	and back around September. And also I want to know if you
7	MR. MIKE ROUTHIER: Are you asking how	7	have any information that you have gathered about our
8	3 deep the water is or how deep into it	8	currents from where we are around Point Hope and what time
9	MR. JIM NASH: Yes.	9	of the year it is going from the east to west, what time
10	MR. MIKE ROUTHIER: I believe that all the	10	of the year it is going from west to east; and also in the
11	L sites that companies have proposed drilling so far are	11	other areas like Wainwright, Point Lay, Barrow and
12	2 under 200 feet, like 120.	12	Kaktovik, Nuiqsut, is that information already documented
13	MR. JIM NASH: So based on your	13	in any form on paper?
14	directional drilling, how much money is saved for you not	14	MR. MIKE ROUTHIER: Our agency has done
15	5 having to drill into the ground when you are putting it	15	some studies on that, and I believe we are continuing to
16	5 straight into the water? How much money is saved on your	16	do studies. And then my colleague Heather can give you
17	end?	17	that information about where to find that.
18	MR. MIKE ROUTHIER: I don't know. I mean,	18	MR. ELIJAH ROCK, SR.: So did you answer
19	we are not an oil company, so we are not making or losing	19	my question I didn't hear you very well about how
20	money off of any of this. It would be that would be a	20	long it would take you to gather that information and keep
21	L question for the actual operator, your Shell or Conoco or	21	it until you go back to court and prove that you have all
22	2 Statoil, someone who owns the leases. I don't have an	22	this information for the impact statements of each
23	answer for that.	23	community?
24	MR. EARL KINGIK: Is there going to be any	24	MR. MIKE ROUTHIER: Right.
25	5 horizontal drilling allowed if they don't find any oil out	25	MR. ELIJAH ROCK, SR.: How many months
	Page 19		Page 21
1	L there? They drill down, and you would be able to go	1	from now?
	2 looking around for the oil.	2	
3		3	public comment period right now, and that's going to last
1		1	1

MR. MIKE ROUTHIER: I don't know. So far 4 no one has proposed to do -- so far no one has proposed to 5 do anything like that yet. We would consider it if we got

6 a proposal for that, but so far no one has proposed doing 7 that. So we haven't analyzed that here.

9 earlier, one of you first men that was up indicated that

MR. ELIJAH ROCK, SR.: I was wondering

10 this is informational gathering. And after that

informational gathering, I was wondering how long would

you keep that information and go to court and prove to

13 them that what you are saying is something that you have

gathered from all the villages. Is this the only village

that you are going to to gather the information from?

MR. MIKE ROUTHIER: There are several 16

17 other places where we are going. We were in Kotzebue last

18 night.

19 MR. ELIJAH ROCK, SR.: I can't hear you.

20 MR. MIKE ROUTHIER: We were in Kotzebue

21 last night. We were going to go to Point Lay tomorrow,

22 but they asked us to reschedule. And we will be in

Wainwright on Thursday. We will also go to Barrow in a

24 couple weeks and then Fairbanks and Anchorage.

25 MR. ELIJAH ROCK, SR.: And this 4 for --

5 MR. ELIJAH ROCK, SR.: How long does that public comment period last?

MR. MIKE ROUTHIER: A little more than a month left in that period, and then we are going to revise

this document. Because we are doing it -- we have done a

draft so far, but we need to make a final. So we are

going to take the comments that we get and use those to

revise that document and create a final document. And we

plan on releasing that final document in February. And

14 that will permit the Secretary of the Interior to make a

decision by March.

MR. ELIJAH ROCK, SR.: Five months? 16 MS. BETTY LAU: The decision is scheduled 17

for March. The Secretary is scheduled to make a decision

20 MR. ELIJAH ROCK, SR.: So this is -- what 21 month is it now? November.

22 MS. BETTY LAU: It's November.

23 MR. ELIJAH ROCK, SR.: What month would

24 that be if you take it back to court to prove that you

25 have all that information so you can go ahead and do what

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November 18, 2014 Page 22 Page 24 1 you have to do on the lease sale? 1 MR. MIKE ROUTHIER: I don't know. I'm not MR. MIKE ROUTHIER: If the Secretary 2 sure. MS. MAE HANK: You don't have a list? 3 decides to affirm some or all the leases, then we would 3 4 need to go back to the Court. And I assume that would 4 MR. MIKE ROUTHIER: I don't know. Yeah. 5 happen in maybe April or maybe May. I don't know who leased these ones. MR. ELIJAH ROCK, SR.: And I was also 6 DR. JIM KENDALL: There are several 7 concerned about when I look at that map there, there is companies that have the rights to those leases, but 8 red areas of where -- you know, there has been put up on everything is stopped until we get this work done for the 9 the map that has not only red; it's got lots of lines on Court. So nothing is going on with those leases until we 10 them. What does that indicate? fulfill our requirement to the Court. And one thing to MS. BETTY LAU: These red areas, are you 11 point out, that deferral area, the 25 miles that was in 12 talking about this [indicating]? there, that was based on traditional knowledge from the 13 MR. ELIJAH ROCK, SR.: Yes. whaling captains and our science where it showed that's 14 **MS. BETTY LAU:** Okay. This right here are where the bowhead whale was migrating and there were 15 the leases. These are the leases we are talking about. calving areas and feeding areas, and it didn't make sense These are the places that have been leased under Lease to have any leases there. That's why it was never offered 17 Sale 193. for lease because it didn't make sense. 18 MR. ELIJAH ROCK, SR.: Are you talking MR. STEVE OOMITTUK: Steve Oomittuk, for **19** about the fully red ones on the bottom? 19 the record. The lease 193, the 2.6 billion from the 487 20 MS. BETTY LAU: Mike, do you want to talk leases was -- did they pay for all that already? Did they 21 about the deferral? put up the money right away? MR. ELIJAH ROCK, SR.: The place that 22 MR. MIKE ROUTHIER: Yes. 22 don't have no line there, the colored red. 23 MR. STEVE OOMITTUK: You know, you guys MR. MIKE ROUTHIER: Are you talking about 24 submitted the environmental review, the environmental 24 25 these right here [indicating]? 25 studies. You know, as the Bureau of Ocean Energy Page 23 Page 25 MR. EARL KINGIK: On your scale you can 1 Management, it said you got the reports over here. You had all these -- you talk about all the whales and the 2 see the first one. These are red. 3 MS. BETTY LAU: And these are orange. calving areas, but I don't remember seeing those. Are MR. ELIJAH ROCK, SR.: And that's what I'm 4 they available now? 5 talking about. Is that something that you have already And I'm just wondering, all the problems that 6 bought? 6 are going on with these oil companies trying to -- we know MR. MIKE ROUTHIER: So all of these blocks

8 that you see, both these orange ones and these red ones,

9 these are the existing leases in the Chukchi Sea. So

10 these were leases that were sold in 2008 during Lease Sale

11 193. And there is a small difference between the orange

12 ones and the red ones. I mentioned earlier that the NEPA

13 document looks at different alternatives. And a couple of

14 the alternatives are deferral corridors where basically

15 the agency says we don't want to have leases within this

16 area close to shore. And should it be like a 25-mile area

17 from shore? Should it be a 60-mile area from shore? And

18 these red leases right here [indicating], they were sold

19 in 2008 or leased in 2008, but under one of the

20 alternatives in the current document, they might be taken

21 away because --

22 MS. PEGGY FRANKSON: They are too close.

23 MR. MIKE ROUTHIER: Because they would be

24 too close to shore, yeah.

25 MR. ELIJAH ROCK, SR.: Who leased them? everything is stopped right now, but they were planning on

coming up with these oil rigs, and they had problems right

off the bat. You know, I mean, the Bureau of Ocean

Management, they weren't even ready for this. You know, a

little bit of wind, and these oil rigs are floating away

12 somewhere. And they are trying to -- you know, it

13 seems --

14 Are you the management ones that take --

starting from the beginning of with the oil companies that

know they are ready to come up north and everything is

going to be safe and that -- you know, and then they are

having all these problems. You know, are you guys out of

Washington, D.C. area or are you guys stationed in Alaska?

20 DR. JIM KENDALL: Those are great

21 questions, and you are spot on. First of all, all the

22 information that we have, all the science we do is

23 available from our website. I think, Earl, you have been

24 on the website and you have found a lot of our science and

25 the studies. All those previous Environmental Impact

Page 26 Page 28 1 Statement documents are out there. You are correct. We MR. ELIJAH ROCK, SR.: Who are you 2 are the manager. speaking for Earl, us or the people up --3 And remember when Shell drilled in 2012, they 3 MR. EARL KINGIK: I'm speaking for NGOs. 4 were not allowed to go into the oil zone because they 4 I work for the nongovernmental organization called Alaska 5 promised to have a capping and containment system like Wilderness League. 6 they built in the Gulf of Mexico. They built it and it 6 MS. LILLIAN AANA LANE: You had made your 7 didn't work, and they demonstrated that it didn't work. proposal, your first proposal, and that was denied because 8 So we said no. You can drill a top hole, but you cannot you have a low number of barrels, indicated a low number 9 get into the oil. And until they have a system that of barrels. You went back. And with the assistance with works, they can't go into the oil. a satellite --11 11 So yes, we are the manager. We are watching MS. BETTY LAU: No. 12 them very closely. After they had that problem, we had to 12 MS. LILLIAN AANA LANE: How did you do a total review of what Shell did, working with the determine the next number? I know you explained to me, 14 but you can just --14 Coast Guard and the Bureau of Safety and Environmental 15 Enforcement, all the other companies. And sometime by the MS. BETTY LAU: Because now we were 15 16 end of the year this year there will be a document that looking at the results of this sale, we had data from the 17 comes out that has Arctic standards for the companies. lease sale itself to help us pinpoint and make a better 18 And those standards are going to look very similar to the estimate of the number. rules we put on Shell, as well as some of the information MS. LILLIAN AANA LANE: So you made a 19 20 that came out in the report to the Secretary the following 20 better estimate of the number so that you can go in there 21 March. and actually do the work? So yes, we are the manager. We are watching DR. JIM KENDALL: When the document was 22 22 23 everything that's going on. Everything helps us do a 23 first done, it was for the entire lease sale. There were 24 better job. And we are making sure that those kind of 24 no leases. We didn't know where the companies were 25 things are not likely to occur. But you are thinking the 25 interested. And this is very different because now we get Page 27 Page 29

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1 correct way, sir. Thank you.
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MR. EARL KINGIK: Thank you. You guys

3 come out with some good questions. You know, the reason

4 this big thing is going to on, Native Village of Point

5 Hope and NGOs, nongovernmental organizations with the

6 environmental organizations are trying to review the

7 document, a thick document which you never had a chance to

8 take a look at. The Native Village of Point Hope, the

9 Inupiat Community of the Arctic Slope and Native Village

10 of Barrow have joined the environmental organizations and

11 NGOs to try to figure out what's wrong with that impact

12 statement. What is wrong.

13 Now here they are trying to answer. We went to

14 court, and now they are trying to answer us. These are

15 the questions that the environmental organizations, the

16 Native Village of Point Hope and ICAS have brought to them

to do their homework. It's good that you guys come out

with these kind of questions, but they have got to make

19 their explanations how it is going to work to make it work

20 better. So this is your chance. I'm happy that we got

21 somebody from the BIA office because you are tribal

22 members. We have got government-to-government working

23 relationship with our friend over here and the Native

24 Village of Point Hope to ensure they continue their

25 presentation, as well as listen to our comments.

1 to adjust the document after the lease sale and the

2 companies already have leases, so we know where they are

3 interested. So we can focus our attention down in

specific areas. And there has also been more studies done

since the 2008 sale. So we have more information. We

know exactly where they have the leases, which we didn't

have before. So it allows us to focus down and be more

precise. It's sort of backwards, but in this case it

works in our favor so we can do a better analysis.

10 MS. LILLIAN AANA LANE: My understanding

11 is that more oil is found in maybe 1,000 feet and more,

12 not so much 1,000 and less. You know, they say that in

the news. I read it somewhere that most of your oil, your

14 fine oil is found in 1,000 and more feet, but now you have

got 200 feet. There must be something out there that we

16 don't know of.

17 MR. JIM NASH: They are saving money by

18 not having to drill 200 feet. That's what the companies

19 are trying to do because they have the directional

20 drilling now.

21 MS. BETTY LAU: When we say 200 feet, we

22 are talking about 200 feet of water. And I think what you

23 are thinking of is 1,000 feet under the ground. But when

24 you have the water and the mud level, and we are talking

25 about deeper in the ground thousands of feet.

Pι	iblic Hearing for 193 Remand - Chukchi Sea
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1	MS. LILLIAN AANA LANE: Oh.
1	MS. BETTY LAU: Okay?
1	MS. LILLIAN AANA LANE: Okay. Okay.
4	MS. MAE HANK: They said the drilling cap
į	5 didn't work. What was it based on? What didn't work?
6	Was it because of the temperature of our ocean that caused
	7 the drilling cap not to work, or was it just
8	3 dysfunctional, not appropriately built?
2	MR. MIKE ROUTHIER: Well, our sister
10	agency, the Bureau of Safety and Environmental
11	L Enforcement, they are in charge of reviewing the spill
12	2 response plans, and they were doing their due diligence.
13	And they went down to investigate this new equipment. And
14	it was down near Seattle, Puget Sound. So they went down
15	5 there to make sure it worked, and it didn't. It failed
16	5 even down there. So we knew that it wouldn't work up
17	7 here.
18	So as Jim said, we didn't let them drill
19	anywhere near close enough down to get into the oil so
20	there couldn't be an oil spill.
21	MS. MAE HANK: So it wasn't based on
22	2 temperature? Because the temperature is different from
23	
	engineering design. It was they used it in down by
25	5 Seattle. It's not quite as cold as up here. And but
	Page 31
1	

So at this point we don't have a market for 2 natural gas here. We don't have a way to get it to a market. And we are talking about a lot of natural gas. 4 So the way I set up the plan was to produce the oil first as they do in Prudhoe, reinject the water and 6 the natural gas, and then after that pipeline has enough room, enough place for the natural gas from the Chukchi 8 Sea, build a pipeline across to Prudhoe and ship it through that pipeline. So everything is pipelines. MR. JIM NASH: How much natural gas is 11 burned off every year in Prudhoe? 12 MS. BETTY LAU: You are right. They --13 they do have a lot of that. But they still have 35 14 trillion cubic feet to be shipped. But a lot of it is -they are reinjecting it into the ground. 16 MR. JIM NASH: But they also burn off a 17 lot with their flares at the central processing facilities. MS. BETTY LAU: They do. You are 19 20 absolutely right about that. 21 MR. ELIJAH ROCK, SR.: Do you have any 22 idea how many years from now what you are talking about will be available to each -- every village or states 24 for -- like you go to a service station and buy whatever 25 you need like gas or oil? How many years from now?

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1 the water was about the same depth, but the engineering
2 didn't quite work right. And so that's when BSEE and the
3 Coast Guard said, no, no, no, no, no. And so we let them
4 drill the top part, but then they had to go back and
5 redesign it. The Bureau of Safety and Environmental
6 Enforcement with their friends the Coast Guard looked at
7 it and they got it to work. But still it hasn't been
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8 decided if they can drill or not. We still have to finish 9 this for the Court. But we watch them every step along 10 the way. 11 MS. BETTY LAU: Okay. Now, looking at our 12 new number of 4.3 billion barrels of oil, the way that I set up this scenario -- and I had to look at how many 14 wells would that take, how many platforms. I was working to try to figure out exactly how you would make that work. 16 How can you produce 4.3 billion barrels of oil? And because of the experience with Prudhoe where they produce the oil -- you know, the oil, the water and the natural gas all come up together. But at Prudhoe they are 20 separating the water and the natural gas and they are 21 putting that back down in the reservoir and they are not 22 producing that yet. 23 And of course, I'm sure you are aware of the

24 proposal for the pipeline for gas to go from Prudhoe down

25 to Southcentral Alaska to sell natural gas.

MR. ELIJAH ROCK, SR.: I was told when I 3 asked that question from the industrial people, they said 4 50 years from now. That was 70 -- when was it? 2007? 5 About 20 years ago. I told them I'll be 150 years old by 6 the time it will be available to buy all this from any service station or store. So that's a long way for me. I'll be dead by then. MS. BETTY LAU: Once the gas and oil is 10 produced, we have no direction as to how the oil companies --**DR. JIM KENDALL:** One thing we have to 13 remember, that we are the manager of the OCS land. We are 14 not the oil companies. We don't work for the oil companies. And we can let them lease a piece of property under the law by the rules, but then they have to propose to us how they would develop it, how they would explore and what they would do with the product. So a lot of your great questions we can't answer until they come forth with how they would do it and what they would do. 21 MR. ELIJAH ROCK, SR.: You can also prolong -- like 30 -- you said you can't let any of the industry work on whatever they bought until they improve 24 their methods of doing whatever they are doing --

DR. JIM KENDALL: Yes.

MS. BETTY LAU: I can't predict that.

25

	Page 34		Page 36
	r age of		1 ago so
1	MR. ELIJAH ROCK, SR.: to make it safe,	1	and you help us, then we can tell the Secretary, this
2	not just for the environment, but for the environment and	2	document and all the stuff that goes with it is the things
3	the ocean and animals.	3	you need consider before you make a decision
4	DR. JIM KENDALL: Yes. We can do that	4	MR. REX TUZROYLUK: And the law is the
5	within the law. When this issue came up that the Court	5	amount of oil that we pull out from any source that we
6	said that there is a problem and they would like us to	6	have in the Chukchi every lease sale we have. And I
7	improve the document, well, our sister agency, who now	7	guess the other question is, where is this where does
8	controls basically the leases because the leases are let,	8	the animal and the people as far as the law versus the
9	they put a freeze on everything. The same way when that	9	need for for our for fossil fuel to go on? Where is
10	capping and containment device failed, they said you can't	10	the line there that we can speak of? And that's the only
11	go into the oil. So yes, we have that kind of control.	11	reason I'm here, to make those lines to see where we could
12	And when the whalers and the scientists working	12	have some kind of impact.
13	together showed that you shouldn't have leases in 25 miles	13	DR. JIM KENDALL: That's a very good
14	because that's where the bowhead whale migrates, that's	14	question. That's why we put this document together so we
15	where they feed, that's where they have their babies, we	15	can write that out so that when the decisionmaker sees
16	have the power to say no, the Secretary says no leases	16	everything before them, they can see how much things might
17	there. But it takes a while. And it may sound	17	cost or what would be the impact to a community, what
18	complicated, but it was done specifically so decisions	18	would be the impact to the marine mammals, to the fish, to
19	weren't made too fast. Okay. If they make them too fast,	19	the air and see that's what the law requires us to do,
20	maybe we might miss some information or we won't be able	20	and that's what we are all doing now with your help.
21	to go out to talk with everybody.	21	That's why, as Earl said, this meeting is very
22	So yes, sir, it takes many years. But with many	22	important. We need to hear what you are saying so that we
23	years of discussion and study, we can try to avoid	23	can put that into the document. And when we sit down with
24	problems.	24	the people way above me, we can say we have the
25	MR. ELIJAH ROCK, SR.: So you have	25	information here, the science, the traditional knowledge,
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1 authority to -- the President decides and the government
 2 and the Senators decide they can do whatever they want to
 3 the industry? If they say yes, you have power to say no,
 4 right?
            DR. JIM KENDALL: We have the power to say
 5
 6 no under the law --
            MR. ELIJAH ROCK, SR.: Okay.
            DR. JIM KENDALL: -- as the law is
 9 written. And I think -- am I saying that correct, Lisa?
10 Liz.
11
            MS. LIZ GOBESKI: Yes.
            DR. JIM KENDALL: I am not a lawyer, but
12
   we have to follow the law, and we do our best to make sure
14 we follow the law, and we don't give any jump starts too
15
   soon.
            MR. REX TUROYLUK: And your law is your
16
17 Environmental Impact Statement.
            DR. JIM KENDALL: Okay. The impact --
18
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MR. REX TUZROYLUK: I want to ask you

DR. JIM KENDALL: Good question. The law

22 requires us to do an Environmental Impact Statement that

24 traditional knowledge, what people think -- and then we

25 give that to the Secretary. And if we did our job right

23 brings all the information together -- the science, the

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MR. REX TUZROYLUK: And how does the --
 4 the amount of oil for our nation's need have versus the
 5 law? How much impact does that have?
             DR. JIM KENDALL: That comes into the
 7
   economic analysis where how much oil is there, how much
   does it cost to produce, is it worth doing. So that's
   discussed in the document, as well. But people above us
   have to consider that, as well. It's not us here.
             MR. REX TUZROYLUK: My question is, how is
12 the -- how is the needs for the country -- I mean, how do
   you balance that -- how do you balance it up for us with
14 the need that our country needs?
15
             DR. JIM KENDALL: That's a very good
16
   question.
17
             MR. REX TUZROYLUK: That's my question.
             DR. JIM KENDALL: That's what the
18
19 decisionmaker has to weigh. That's why it's so difficult.
   I can't say how it's done. I can only say we lay out the
21
   information for the people --
             MR. REX TUZROYLUK: Do we know our
22
   country's needs or demand for oil to keep what we -- as
24 far as I guess fossil fuel. What's the --
25
             MR. JACK SCHAEFER: Could I make some
```

1 the biology, the mammals. This is how -- everything we

need to look at before a decision is made.

19

21

20 that.

Point Hope, Alaska November 18, 2014

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1	statements before you go into the public hearing phase?
2	DR. JIM KENDALL: Can we defer to the
3	president?
4	MS. LILLIAN AANA LANE: Let the man
5	finish.
6	MS. PEGGY FRANKSON: Let him finish first,
7	Jack. He's not done talking yet.
8	MR. ELIJAH ROCK, SR.: Can I ask before
9	you get done some more questions?
10	DR. JIM KENDALL: Sure. I mean, he is the
11	president of the
12	MR. REX TUZROYLUK: Who has those numbers
13	for the demand, for the fossil fuel needs? Who has those
14	numbers?
15	DR. JIM KENDALL: We don't have those at
16	the tips of our hands, but those numbers are available.
17	MR. REX TUZROYLUK: Where do we find those
18	numbers?
19	DR. JIM KENDALL: That would be the
20	energy what's the name of that?
21	MS. SHARON WARREN: EIA. I can't think of
22	the acronym. Energy Industry
23	DR. JIM KENDALL: They are in the
24	government agency that says how much energy the nation is
	using. EIA.
	-

Page 40 1 merge them because you can't because they are two 2 different knowledge systems. 3 And when a whaling captain says, that's where I go to get my whales, we don't need to pay a lot of scientists to go out there and do that. I believe the whaling captains. But if we need to know what the currents are, we can put some buoys out there and measure currents. So now we have got where the whaling captains go for whaling to feed the village. We know what the currents are and, oh, my goodness, we get a better picture of what is there. 11 12 MR. ELIJAH ROCK, SR.: Science is based on 13 research, and traditional knowledge is [inaudible]. **DR. JIM KENDALL:** He was saying that 15 science is based on research, and traditional knowledge is based on observed fact. Did I say that right? 17 MR. ELIJAH ROCK, SR.: Yes. DR. JIM KENDALL: And we agree with you.

19 That's why I have come to learn and all my scientists and my friends, that traditional knowledge and Western science need to be considered together. And we sit down with the decisionmakers and tell them, this is what we have learned from the whaling captains, this is what we learn from 24 science, and they don't conflict. They help us understand

25 the big picture. It's really wonderful, absolutely

1 wonderful.

18

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Page 39 MR. REX TUZROYLUK: How much weight does 2 that have versus your Environmental Impact Statement or 3 the law? **DR. JIM KENDALL:** That's where the 5 balancing comes in, my friend. This is where the art 6 comes. That's a very hard question to answer. Everything 7 you say is very true, but that's why we try to get all the 8 information we can, the traditional knowledge, the 9 science. We look at the price of oil, and that's presented to the people way above us, my friend. But 11 those factor into this. And that's why we are here.

MR. ELIJAH ROCK, SR.: All of what you

3 DR. JIM KENDALL: Okay. Jack. You have 4 the floor. MR. JACK SCHAEFER: Okay. The steering committee that was formed by agreement with the North Slope Borough and the oil companies in regards to currents and cycle of currents and study of currents, what they were displaying to us last month to our -- were incomplete pictures and saying we weren't able to completely see where the currents were. At one time we were not too but then we noticed that there was a slight turn, and it

16 **DR. JIM KENDALL:** That's interesting you 17 said that because what we have learned -- when I was in Washington I didn't know what traditional knowledge was 19 until I came up here. In fact, I've met a lot of people 20 in the villages who have taught me about traditional

mention, are these categorized in numbers? Or like

14 traditional knowledge, is that above where others are on

21 knowledge. And one thing I learned is that traditional 22 knowledge is not the same as Western science. It's

23 parallel. It's a knowledge system that's just as

24 important. And so it's right up there. Traditional

25 knowledge is important as Western science. We try not to

MR. JACK SCHAEFER: I have some questions.

[indiscernible] because they were going towards Barrow,

14 came around Cape Lisburne and then the cycle quit. And we

have indicated that there was a need for more of those current studies. And for some reason they decided that

they were going to continue and focus more on Barrow area

18 in regards to current studies, which seemed kind of

19 outside of the scope.

20 And so that's one of the deficiencies that I 21 see. And I feel that -- is that something that would cause you concern in regards to NEPA requirements and 23 dealing with having adequate information about currents? Along with that, the ice gorging, there has been

25 a lot of photography that was done by the National Science

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12

15 the list?

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- 1 Foundation publications through Arctic research back in
- 2 the 1980s. We had requested to have overlays of ice
- 3 gorging photography to be done for the purpose of
- 4 reassurances and the NEPA requirements and the information
- 5 that we needed to see. And they refused to provide us
- 6 with the most recent ice gorging in an overlay so that we
- 7 could see how the ice was moving. I think that -- is that
- 8 ice a NEPA thing that is missing in regards to informing
- **9** us completely?
- Responsible development, we have not been really
- 11 clearly explained what responsible development is. All
- 12 they say is that we are going to do it in a responsible
- 13 way without explaining that. And that may be something
- 14 that is misleading because we have not been told how it's
- 15 going to be done in a responsible way.
- Mitigation. We as a community and as the
- 17 councils and as the community has not been really informed
- 18 as to how mitigation was going to take place. Two years
- 19 ago mitigation was along the lines that there would be
- 20 money put aside in a good neighbor policy, and
- 21 [indiscernible] to get whales, but the numbers were not
- 22 there. They did not indicate which villages were willing
- 23 to do it. And Savoonga was one of them that was mentioned
- 24 and that the money didn't really cover it if we look at a
- 25 reality picture because we were only looking at infancy.

- 1 the Interior did decide that even though we don't know
- 2 everything, we know a lot. We have been studying this
- 3 area for decades now. We have a lot of information, and
- 4 it's enough to go forward with the first step in this
- 5 process, which would be a lease sale. Is there more
- 6 information that we could get? Yes. And we are going to
- 7 try to get that additional information. But we feel like
- 8 we have sufficient information now to write the NEPA
- 9 document.

DR. JIM KENDALL: And as you know -- this

- 11 is Jim Kendall, Jack. As you know, if the exploration
- 12 would go forward and if they were to find something, then
- 13 they would also have to take -- turn in probably a couple
- 14 to a few years from now a development and production plan
- 15 that would have all those specific details on how they
- 16 were developed, and then we would have to do another
- 17 Environmental Impact Statement since it would be really
- L8 specific on what they were going to do.
- As you know, Jack, the OCS Lands Act has four
- 20 phases in it: The five-year; the lease sale, which is
- 21 where we are at now; exploration; and then development.
- 22 And the Congress set it up in four phases so decisions
- 23 were not made too quickly and that there was plenty of
- 24 time to study what they planned to do and we could do more
- 25 analysis and go out to the public, do more science and get

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- 1 So I feel that's a NEPA thing that needs to be clarified.
 - Whale migration and traditional knowledge.
- 3 Whale migration, only 25 miles off the shore based on
- 4 input that was provided by whaling captains who was in
- 5 association or the Alaska Eskimo Whaling Commission
- 6 [indiscernible] traditional knowledge and science had
- 7 indicated that the Herald Shoal and the Hannah Shoal were
- 8 major feeding areas of the whale.
- 9 So there are some conflicts in regards to
- 10 finding this and providing this information to us under
- 11 NEPA, don't you think? When there are conflicts of
- 12 information like that, doesn't NEPA require us to be
- 13 clear?
- **MR. MIKE ROUTHIER:** Well, Jack -- and this
- 15 is Mike speaking -- anytime we do a NEPA document, we have
- **16** an obligation to use the best science that we can and to
- 17 use traditional knowledge, as well. And that's what we
- **18** are doing here. We do have a lot of information about
- 19 ocean circulation and currents, for instance. Are we
- 20 learning more? Sure. We are learning more all the time.
- 21 In fact, we are always conducting new studies to learn
- 22 more information. That said, a big focal point in the
- 23 prior part of this litigation was missing information or
- 24 incomplete information.
- 25 And the agency -- I'm sorry -- the Secretary of

- 1 more traditional knowledge. But all good comments, Jack.
- 2 Thank you. We have got those to take back with us.
- 3 MR. ELIJAH ROCK, SR.: I had one more
- 4 question to you on the right there. You. Yeah. As far
- 5 as the news that I have been listening to, we have a lot
- 6 of open water now, not much ice. And all this traffic is
- 7 coming through the North Slope over to Canada and further
- 8 on. And that bothers me when you have that much traffic
- 9 in the ocean because of our resource that they are
- **10** disturbing out there.
- **DR. JIM KENDALL:** Yes. That's a very good
- 12 comment.
- MR. ELIJAH ROCK, SR.: And also the trash
- 14 that they leave out there.
- .5 **DR. JIM KENDALL:** Yes. That is a concern
- 16 not only by us, but by the Coast Guard and BSEE and also
- 17 the other Arctic nations, as well as the permanent
- ${f 18}$ participants, the tribal members all around the Arctic.
- 19 There is a lot of ships up there. And I believe you take
- 20 into account in the NEPA document about how many ships
- 21 would be there and how many helicopters, that kind of 22 stuff. That's in the document, you know, what we think
- 23 would be involved in the 77 years. And we are also
- 24 watching what others are doing, as well.
- So that's a good comment. We understand what

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- 1 you are saying. And it's very important. We have
- 2 discussed it in the document.
- 3 The gentleman in the back was next.
- 4 MR. REX TUZROYLUK: I'm glad you are
- 5 respecting traditional knowledge, but the fact is as far
- 6 as what we used to do and where we used to go hunting,
- 7 years from now it's not going to be here, and you know
- 8 why.
- o wily.
- 9 DR. JIM KENDALL: Yes.
- MR. REX TUZROYLUK: Are you -- are you
- 11 changing your law because -- there needs to -- your
- 12 process is going to take a little while to get 100 million
- 13 gallons out to the market. It's going to take a little
- 14 while. But the time of the weather and where things are
- 15 and as things come closer to those spots over there and
- 16 it's getting warmer, and this traditional knowledge is no
- 17 longer real because it's not with us no more. My question
- 18 is: Will you make your laws to abide with the safety of
- 19 the drilling and the animals for whatever you need and our
- 20 people?
- **DR. JIM KENDALL:** Okay. We don't make --
- 22 we don't make --
- MR. REX TUZROYLUK: Are you going to
- 24 put -- how serious are you about climate change? Whatever
- 25 you want to call it.

- 1 What is your definition of an anchor field? You know, you
- 2 assume development in there. You are talking about
- 3 something that you are going to build -- they are going to
- 4 build permanently or --
- **DR. JIM KENDALL:** That's a good question.
- 6 The anchor field, as I understand it -- I'm not an
- 7 engineer, smart like Betty. The way I understand this is
- 8 that if an oil company goes out there and they drill
- 9 wells, they have to, quote, unquote, see a potential to
- LO make enough money to make it worth their effort. If they
- L1 drill a couple exploration wells and the information says
- L2 that they could make some type of profit, it's their
- 13 decision that they want to proceed, that would become an
- 14 anchor field, that, oh, my goodness, if I put some more
- 15 drilling wells here and some production, I could at least
- 16 break even. That's the anchor field.
- Once they have the anchor field, then -- then
- 18 things that are a little bit further away are called
- 19 satellite fields that now they become worthwhile. But
- 20 unless you have an anchor field where they can at least
- 21 break even or make some money, nothing can happen. And as
- 22 Mike was saying, that in the original EIS, with the price
- 23 of oil and how difficult it was to work up there, even a
- 24 billion barrels was a stretch.
- But working with the courts, we had to look at,

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1 well, let's assume there is a successful exploration.

- 2 Let's assume there is an anchor field. Well, if we make
- 3 these assumptions, we get to a point that 2.9 billion
- 4 barrels would make an acceptable anchor field, then they
- 5 might go a little further. Okay? It's not a definitive
- 6 number. It's just something that they have to get to
- 7 first base before they can go to second base. And if they
- 8 can't get to first base, the game is over.

9 MR. STEVE OOMITTUK: So are you saying

10 this anchor field would be permanently there year-round?

DR. JIM KENDALL: Okay. If it goes to

12 production, it would be. And we are going to turn that

13 over to Betty and Mike because that continues in the

14 presentation.

MS. BETTY LAU: Okay. Yes. If you want

16 to think of it in other terms, the anchor field is the big

17 one. The satellites are the small ones. The satellites,

18 if that's all they found, they wouldn't develop it. It's

- 19 not big enough. But if they find the big one, then they
- 20 might add the small ones to it. So because we are -- we
- 21 are talking about first producing oil, then gas, this goes
- 22 on for a long time. You drain out the oil and then you
- 23 start producing the gas for sale.
- So it comes out to 77 years. By the time you do your exploration and you find a success, so then you go to

- **DR. JIM KENDALL:** Yes, that is very
- 2 serious. That is taken into account in the document. We
- 3 understand what you are saying, that things are changing.
- 4 For example, in one of the wells that were drilled in the5 Arctic, the company said it would take 38 days to drill a
- 6 relief well. And so looking at the way the ice was
- 7 changing, we knew that ice would probably form about
- 8 November 1st in -- off of Barrow in the Beaufort, so we
- 9 had to say, okay, if it takes 38 days, you are going to
- 10 subtract 38 days from November 1st and you are going to be 11 out.
- So we watch the climate change. We work with
- 13 the other agencies. We know things are changing. And we
- **14** are doing the best we can to work that into our analysis.
- 15 You are 100 percent correct.
- MR. REX TUZROYLUK: And I don't agree with
- 17 you with the temperature. Wherever the weather changes,
- 18 that's where we change the law, if we mean what we mean.
- DR. JIM KENDALL: Things are changing.
- 20 You are correct. And we are doing our best to work that 21 in. But that's a good observation. We still have some
- 22 more presentation to go that Mike really needs to get
- 23 through. So Mike and Betty.
- MR. STEVE OOMITTUK: I have one question
- 25 on your assuming development. I was kind of curious.

Point Hope, Alaska **Bureau of Ocean Management** Public Hearing for 193 Remand - Chukchi Sea November 18, 2014 Page 50 1 development. You put in the infrastructure. You put in 1 here. We are going to take a little bit of information 2 and move these guys out of here and bomb the place. And 2 the pipelines to sell your product. You go to production. 3 You produce everything that you can. And then another 3 this is the same scenario. We are going to hear a little 4 important last step is decommissioning, getting things 4 bit. You are saying -- with all due respect, you are 5 cleaned up, getting those wells permanently plugged and 5 saying you are hearing us, but I don't think that's even 6 abandoned with cement, which we assume they would do as 6 remotely possible to give us a couple-hour time period on 7 those wells stop being productive. all this information that is important that will proceed DR. JIM KENDALL: Betty, for those four to the point of you compiling these documents to therefore 9 points up there, basically for exploration, everything is then make a decision. **10** an if. 10 Once again, I do not agree that this is just, 11 MS. BETTY LAU: Yes. 11 quote, unquote, informational. I believe that this is 12 DR. JIM KENDALL: If there is successful 12 exactly as you said. It's -- you guys are basically the 13 exploration -- if -- and there is potential for an anchor police of this situation to allow development or to not 14 field, then they might decide to develop. But the 14 allow development. So that's my question in regards to exploration has to be successful first. There is a big if 15 litigation, for future reference. 16 there. And if they decide to develop, then they decide, 16 DR. JIM KENDALL: Okay. Bottom line is well, we hope we get the production. So there is a lot of 17 the decision to have things wrapped up by March was ifs there and a lot of assumptions. But for this document between the Department of Interior and the courts. And so we have to have something big enough so that we could look we are on a schedule that we have to maintain to the best 20 at impacts that would be meaningful to people. of our ability. There are certain time frames such as 21 MR. TARIEK OVIOK: I have a question. My this for public comment. I hear you, sir. It is what it 22 name is Tariek Oviok, for the record. I just -- I wasn't is. And we are doing everything we can squeeze into this 23 here -- I know you guys are probably aware of Project time frame to meet our marching orders. 24 Chariot, and I'm not going to go into all the details of 24 MR. TARIEK OVIOK: I just wanted to get 25 that, but I feel like I'm kind of reliving that because 25 that in for the record. And the other question I have is

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1 what I mean specifically is that you -- within the 2 confines of this document that you are coming up with, you 3 are saying that this is, quote, unquote, just an 4 informational meeting that you are gathering from us

5 because we are important within the confines of this

6 document.

But yet my question is: Who within the federal 8 government system for BOEM, who determines -- and this is **9** a question in terms of litigation process. Who determines 10 the time frames as far as meetings? You know, if that

12 of good information. We have good concerns, and we have a

11 makes any sense. You guys are coming here. This is a lot

13 right to be heard, but yet -- I know this is not

14 Anchorage, but we are a very important component in this

process. And you guys, with all due respects, you come

16 here and we have a limited time frame of -- I mean,

17 everybody is understandably getting frustrated. It's

18 almost time to go.

19 Who makes the decisions as far as whether this 20 can be a three-day meeting, whether it can be a two-hour

21 meeting and we have to wrap everything up real quick and

22 then decisions will be made, to me, in a rapid time

period? To me that's alarming. It's almost like Project

24 Chariot all over again.

We are coming here. Hey, we've got a few people

1 that in the third page you had the AIS development or

2 whatever. And it said that the North Slope -- you had,

3 like, seven different entities. One of them was the North

4 Slope Borough for the gathering of this information.

5 Who -- was there any kind of -- is there -- in this

6 website that you are talking about, is there a way that I

can find out -- like I want to know who spoke for me from

Point Hope. So since the North Slope Borough was in

there, who -- was there a voting process done with the

10 North Slope Borough and did it involve Point Hope?

DR. JIM KENDALL: The way it works, sir,

is that the North Slope Borough is a cooperating agency.

So they helped write the document, and their logo goes on

14 it. So I'm going to turn to my colleague Fran. For the

North Slope Borough, do you happen to know who is calling

16 into the meetings and helping? 17

MS. FRANCES MANN: I cannot --

MR. MIKE ROUTHIER: It was mostly the 18

19 wildlife department because they were the ones with a lot

of the good information about the environment. So they

21 helped us understand what might happen to the environment

22 if --

23 MR. TARIEK OVIOK: And I can find that on

24 the website, all this informational documents that you

25 guys are talking about? Because one of the things you are

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ı u	one freating for 193 Kemanu - Chukem Sea		November 16, 2014
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1	stressing is that you guys are compiling everything. And	1	probably learned a lot from the Gulf spill. I'm sure
2	that sounds good, but I'm trying to find the differential	2	everybody was educated from that. So what kind of lesson
3	process between what sounds good and what's factual.	3	have you learned from that catastrophe?
4	DR. JIM KENDALL: Right. In this case,	4	MR. MIKE ROUTHIER: That's a good
5	s since the North Slope Borough is representing you, call	5	question. So the agency learned a lot from that
6	the mayor's office and find out who is assigned to help on	6	catastrophe. One of the things they learned was that we
7	it. I am not involved in the day-to-day activity. That's	7	need some new rules. So they conducted new rule making
8	Fran and our team. But the North Slope Borough, they are	8	and they made new rules that the companies are going to
9	helping to write this. And they get all the documents as	9	have to follow. So it did change our thinking of how we
10) we write it up.	10	need to regulate these activities to make sure that they
11	MS. MAE HANK: Can I say something?	11	are safe.
12	DR. JIM KENDALL: Yes, ma'am.	12	Another way in which that changed our thinking
13	MS. MAE HANK: Once they do the	13	is that before our documents didn't analyze the very large
14	informational meeting, right after they are done with this	14	oil spill for Lease Sale 193. But after Deepwater Horizon
15	informational meeting they go into public comments, and	15	happened, we said, okay, well, we know that this is
16	that's where our opinions are put into record. So right	16	possible. It's very unlikely, but it is possible, so we
17	after they are done with their informational meeting, they	17	need to at least analyze it so that the Secretary of the
18	go right to public hearing, and that's where we talk.	18	Interior, the decisionmaker here, understands how bad it
19	DR. JIM KENDALL: And there is more that	19	could be if that were to happen before she makes her
20	you can contribute later on since it's not over yet. Good	20	decision.
21	point. So Mike, continue. He will tell you how you can	21	MS. LILLIAN AANA LANE: So you make sure
22	2 add more.	22	that they have an emergency plan for all that?
23	MR. TARIEK OVIOK: Thank you.	23	MR. MIKE ROUTHIER: We make sure they have
24	MR. MIKE ROUTHIER: We have covered a lot	24	that as part of their exploration plan. And there is
25	of the information that's going to be on these next few	25	other federal agencies that also look at that to make sure

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1 it's sufficient.

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1 slides, so I'm going to go through them relatively
 2 quickly. But the main points are that the document
 3 considers new information. This is a new document. It
 4 has the latest information where we look at what about
 5 these oil and gas activities might impact the environment,
 6 and then we track those impacts through time. What about
 7 the impacts in the first few years? What about later on
 8 in development and production would cause impacts?
         The analysis assumes two large oil spills, 5,100
10 barrels and 1,700 barrels. And we also do a hypothetical
   very large oil spill analysis, very low probability but
   very high impact. We thought it was important that the
   decisionmaker, the Secretary of Interior, would understand
   what would happen if something -- if a big oil spill were
   to occur, what would happen. We wanted to make sure she
16
   understood that.
17
             MS. LILLIAN AANA LANE: With that said,
18 how can you assure us that catastrophe will not happen,
19 being the managers with them, for them?
20
             MR. MIKE ROUTHIER: I don't think anyone
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21 can assure that. What we can assure is that we will do22 our best to review every plan that we receive and hold the

24 that. I don't think there is any guarantees, though.

companies to account and do our best to try to prevent

MS. LILLIAN AANA LANE: Well, you have

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DR. JIM KENDALL: And that's an excellent
   question because that capping and containment system that
   Shell had in 2012 that failed, that's why they were not
   allowed to go into the oil-bearing zone. It was a
   requirement. They couldn't meet that requirement, so they
    were prevented from getting into what we call pay dirt.
 8
             MR. JIM NASH: Based on your Arctic
   standard that you have now, where in the Arctic have you
   tested and proven that it worked?
11
             MR. MIKE ROUTHIER: What specifically?
             MR. JIM NASH: He said earlier that there
12
   is a new Arctic standard for drilling. Where in your
14 Arctic standard that you have came up with -- not you
   personally, but --
16
             DR. JIM KENDALL: Jim, the standards are
   going to be released sometime this year. You will
   actually get to see it. That capping and containment
   system that failed was down in Seattle, but it would have
   to be up here, and it would have to be, I believe,
   certified by BSEE and the Coast Guard as Arctic ready.
             MR. JIM NASH: Based on the standard that
23 you put forth, where have you tested it and proven that
24 your standards actually is acceptable?
             DR. JIM KENDALL: That would be that other
25
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1	agency, BSEE. The document is not out yet. It will be	1	[indiscernible].
2	out sometime this year. And it is going to look very	2	MR. MIKE ROUTHIER: Can you repeat that,
3	familiar to what we made Shell do in terms of a relief	3	Jack?
4	well capability, capping and containment, getting better	4	MS. PEGGY FRANKSON: Jack, they didn't
5	control of their contractor so they don't lose a vessel	5	hear what you said.
6	under tow. Simple things that make common sense. You	6	(Phone connection was lost.)
7	will see it soon.	7	MR. JIM NASH: If you were to reach the
8	MR. STEVE OOMITTUK: I have a question on	8	decommissioning stage, what is the model rate of money
9	that. You guys being the managers, will you guys also	9	that will be set aside for the decommissioning period? Is
10	manage the Gulf of Mexico leases and anything like that?	10	there going to be money set aside from day one for when a
11		11	well goes out of commission to have that well taken out?
12	DR. JIM KENDALL: Our sister office was	12	Is there a set rate that they would set aside? Do you
13	managing the lease sales down there.	13	manage that?
14	MR. STEVE OOMITTUK: And so, you know,	14	MS. BETTY LAU: There is a bond. Okay.
15	just seeing that scenario, the 5,100 barrels, how many	15	MR. REX TUZROYLUK: Can I ask a follow-up
16	actual barrels came out of the Gulf of Alaska [sic] that	16	question?
17	came out of that well? What kind of	17	(Phone connection was re-established.)
18	DR. JIM KENDALL: A lot, but it was a	18	MS. PEGGY FRANKSON: The court reporter
19	deeper well with higher pressures, and the rocks and the	19	was saying she couldn't hear you, so you want to repeat
20	formations are quite different. So what they put together	20	what you said before you got cut off?
21	for their very large oil spill plus those two other oil	21	MR. JACK SCHAEFER: I was wondering, there
22	spills are based upon the geology of what we know for the	22	was a newspaper article in Anchorage Daily News about a
23	state of Alaska. You know, every area is different. And	23	month or two ago where the Court should have more leniency
24	we don't use one size fits all. So when the geologists	24	in the regulatory end of [indiscernible] the offshore.
25	and the engineers look at the Arctic, the Chukchi, for	25	And I was wondering what the status of that was and what
	Page 59		Page 61
1	example, they have to say, okay, this is not the Gulf of	1	happened.
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2 Mexico, this is not California, this is not New Jersey. I
 3 mean, this is Alaska. We have to look at what's here and
 4 make sure it's done by the book for Alaska. That's why
 5 these standards are going to be Arctic standards, not Gulf
 6 of Mexico standards.
             MR. STEVE OOMITTUK: But we are just
 8 curious of what exactly came out of that spill.
             DR. JIM KENDALL: I don't have the numbers
10 on the tip of my fingers. I know they are very high. I
11 used to know them, but I forgot. Sorry. The numbers are
   out there. It's on the website. You can find it.
12
             MR. MIKE ROUTHIER: Another thing our
13
14 document looks at is cumulative impacts. And those are
15 not just the impacts from our action, the oil and gas
```

16 activities that we might permit over time, but also

everything else that is going on. So that's going to talk

there is more tourism, more community development, any

those things when we talk about what impacts might occur.

MR. JACK SCHAEFER: Question. Question.

about the increased vessel traffic that's happening; if

context in which we look at impacts. We consider all

military activities or research projects. That's the

24 There is a newspaper article in the Anchorage Daily 25 Newspaper where Shell had asked for more leniency

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MR. MIKE ROUTHIER: I believe what Jack is
 3 asking is about an article in which Shell asked for more
 4 leniency in those Arctic standards rule making.
             MS. PEGGY FRANKSON: Jack, you've got to
 6 put it on -- there is too much static. You want to put it
   on mute for a little bit until they answer your question?
   It's a lot of static.
 9
             DR. JIM KENDALL: The question was -- the
   question, Jack, was --
             MS. PEGGY FRANKSON: We told him to put it
12 on mute because she couldn't hear. He was asking what's
   about the leniency, the Anchorage Daily News.
             DR. JIM KENDALL: Oh, they want longer
15 leases. Okay. What's going on with that is they are
   making that request to the Bureau of Safety and
   Environmental Enforcement. Once the leases have been let,
   okay, then BSEE is responsible for activities that occur
   actually during drilling and production and development.
   They have the option under certain circumstances to grant
   an extension of the leases. That's between BSEE and the
   oil companies and, of course, the courts and the judges
   and the attorneys and that kind of thing. We don't deal
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MR. JACK SCHAEFER: I'm talking about the

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- 1 request for more leniency on the regulations, not the
- 2 extension of the leases.
- **DR. JIM KENDALL:** Okay. Well, I can only
- 4 tell you what my -- what my previous boss, Tommy
- 5 Beaudreau, said, and he is now the Chief of Staff for the
- 6 Secretary of the Interior. As -- he led the effort to
- 7 prepare the Arctic standards which, as you know, Jack, are
- 8 with OMB, the Office of Management and Budget, for review
- **9** and some tweaking. When those come out, it's going to not
- 10 be a surprise to anybody.
- He said if you look at the standards that we
- 12 held Shell accountable for, that they couldn't get into
- 13 the oil-bearing zone because they didn't have a capping
- 14 and containment system. They had to have relief well
- 15 capabilities, et cetera. If you look at what we held them
- 16 to and you look at that 60-day report where we worked with
- 17 other agencies and reviewed that entire process and found
- 18 other flaws and made other recommendations, if you look at
- 19 that report and you look at what we required of them,
- 20 there is not going to be any surprises. And yes, there
- 21 are probably companies that would not like us to be that
- 22 strict, but based on what we are hearing from our bosses
- 23 in the Administration, it's going to be a very good set of
- 24 standards that not a lot of people are going to be happy
- 25 with.

- 1 walk you through how to get onto that website and provide
- 2 your comments. And that comment period closes December
- **3** 22nd at 8:00 p.m. Alaska time.
- 4 And that concludes the presentation.
 - DR. JIM KENDALL: And I would like to add
- 6 one thing. I checked with our pilot. We do not have to
- 7 leave at 10:00. So if we have to stay here past 9:30 to
- 8 make sure we get comments tonight, that's fine. And
- 9 anything we can't finish here, you can go to that website
- 10 and send us everything and anything you want. We can't
- 11 make a good document unless you help us.
- MR. ROY FILE: One quick comment. I heard
- 13 Mike mention on this Lease Sale 193, I heard him say
- 14 Statoil, ConocoPhillips and Shell. I've only heard you
- 15 say Shell.

5

- **DR. JIM KENDALL:** Correct.
- MR. ROY FILE: So is Shell the only one
- **18** out there?
- **DR. JIM KENDALL:** Right now Shell is the
- 20 one only one that has an exploration plan to us. Now,
- 21 remember, they gave us an exploration plan that was
- 22 approved under certain conditions. And they drilled those
- 23 two top wells, one in the Beaufort and one in the Chukchi.
- 24 Then the Court said, stop, you need to fix this
- 25 deficiency, and you can't approve any exploration plans

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- We have to protect the environment, protect the
- 2 communities while there is an option to get the oil and
- 3 gas resources if it's appropriate.
- 4 And Mike is going to continue with the
- 5 presentation. It's wrapping up.
- 6 **MR. MIKE ROUTHIER:** Right. So this is
- 7 about the process we are in here. Right now we are in a
- 8 45-day public comment period. There is probably a little9 more than a month left in that period. Eventually we will
- 10 get all the comments, and we will respond to comments. We
- To get all the comments, and we will respond to comments. We
- 11 will revise the document, respond to comments and make a
- 12 final version of the document. And we are expecting to
- **13** release that final version in late February of 2015.
- 14 After that there is a brief -- 30 days after that, the
- **15** Secretary of the Interior makes a decision in this case
- 16 and gives her decision, and that can come as soon as March
- **17** of 2015.
- Now, as far as how to give your comments, if you
- 19 give them here tonight, we have the court reporter. There
- 20 will be a transcript of this public hearing that we could
- 21 all look at. And we are going to consider all the
- 22 comments we receive when we do the final version of the
- 23 document. Or if you have additional comments, you can go
- 24 to this website. It's regulations.gov. And there is a 25 link here. We also have handouts in the back that will

- 1 until you finish this. In the meantime, Shell gave us
- 2 another exploration plan for 2015 that we can't officially
- 3 do anything with until we fulfill our responsibility to
- 4 the Court. There are other companies out there like
- 5 Statoil and ConocoPhillips that have leases, but they
- 6 haven't given us an exploration plan. They are kind of
- 7 watching what Shell is doing.
- 8 MR. ROY FILE: Yeah, because I have only
- 9 heard you mention Shell, and he mentioned other companies,
- **10** so --
- **DR. JIM KENDALL:** Yes.
- MR. ROY FILE: That's all I hear from you
- 13 is Shell. And there is other companies that own some of
- 14 these leases out there?
- **DR. JIM KENDALL:** Correct.
- 16 MR. ROY FILE: Okay.
- 17 MR. REX TUZROYLUK: What kind of plans do
- 18 you have in case we have an oil spill, and how are you
- **19** going to clean up the ice?
- **DR. JIM KENDALL:** Good question. When we
- 21 look at that exploration plan, if we finish this -- if we
- 22 finish this and the Secretary allows us to move forward
- and if we approve an exploration plan, a complete oilspill response plan gets submitted to the Bureau of Safety
- 25 and Environmental Enforcement for everybody to see. Okay.

1 That will go up on the website. But it's their choice 2 when. It also gets reviewed by a lot of other agencies: 3 The State of Alaska, NOAA, the Cosat Guard, other folks. 4 So that's where that comes into play. 5 MR. REX TUZROYLUK: Why don't we have this 6 information? If you want thisif you want our support 7 to move ahead to do what we have to do and you can't give 8 us answers for you to support what you are doing, you and 1 are both in trouble. 10 DR. JIM KENDALL: You are correct, but the 21 oil spill response plan falls under another agency at 2 different time in the process. And they cannot move 13 forward. Even if we approve an exploration plan, a 4 company, cannot move forward until their oil spill response 15 plan is approved by another agency. And it was set up 16 that ways othere is checks and balances so you don't have 17 like the fox in with the hen house. 18 You know, we are doing our thing, and then we 19 get this done, and if it goes forward, then another agency 20 says, okay, now it's my turn to see if you are doing this 21 part of it right. 22 MR. REX TUZROYLUK: I'm grateful for that, 23 but in my heart I don't think it's right because you are 24 asking for my blessing. 25 DR. JIM KENDALL: We need your help to do DR. JIM KENDALL: Correct. You will see 10 an exploration plan - correction. The exploration plan is already up on the Web. But an oil spill reponse plan 1s is already up on the Web. But an oil spill reponse plan 1s is already up on the Web. But an oil spill reponse plan 1s is already up on the Web. But an oil spill reponse plan 1s is already up on the Web. But an oil spill reponse plan 1s is already up on the Web. But an oil spill reponse plan 1s is already up on the Web. But an oil spill reponse plan 1s is already up on the Web. But an oil spill reponse plan 1s is already up on the Web. But an oil spill reponse plan 1s is already up on the Web. But an oil spill reponse plan 1s is already up on the Web. But an oil spill reponse plan 1s is already up on the Web. But an oil spill r	Pul	olic Hearing for 193 Remand - Chukchi Sea		November 18, 2014
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 19 what are we doing here if we can't 20 DR. JIM KENDALL: We are only the land 19 large oil spill went up. 20 MS. PEGGY FRANKSON: Okay. 	17	them.	17	
DR. JIM KENDALL: We are only the land 20 MS. PEGGY FRANKSON: Okay.			18	
·	19		19	
21 manager. I understand your frustration, but we are the 21 MR. SAYERS TUZROYLUK: I'm Sayers		•	20	
	21	manager. I understand your frustration, but we are the	21	MR. SAYERS TUZROYLUK: I'm Sayers

Min-U-Script®

22 land manager. The oil spill stuff falls under the

24 We are only the landlord. BSEE is the cop.

policeman, and the policeman is our sister agency BSEE.

MR. REX TUZROYLUK: When is the best time

Midnight Sun Court Reporters

25

22 Tuzroyluk. I'm speaking on behalf of the Tikigaq

24 responsible drilling, and I see not where it's very well

23 Corporation. We have expressed ourselves as supporters of

25 defined. But we are very concerned about the future, and

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- 1 at this time oil development is a big part of our future.
- 2 And we at this time have to decide or express ourselves as
- 3 to what we really need. And from my side we have
- 4 shareholders, and this is very important to us. And I
- 5 have to say I stand behind that.
- 6 **DR. JIM KENDALL:** We want to take a quick
- 7 break here? We can make some more coffee. So how about a
- 8 ten-minute break so people can stretch their legs, get
- some more cookies if there is any cookies left.
- 10 (A break was taken.)
- 11 **DR. JIM KENDALL:** We are going to get
- 12 started now. This is where we technically have the phase
- where we are, quote, unquote, taking testimony. So you
- 14 are welcome to come up. Of course, Elders first. And we
- can stay here as long as we need to. Tell us what you
- 16 think. Send us -- the e-mail address up there or the
- website, as Mike referred to. And with that, please give
- your name. That would be a great help. And speak to Mary
- so she can hear you. And let's begin. Who wants to go
- **20** first?
- 21 MR. TARIEK OVIOK: I'll go, unless any
- 22 Elders have anything first.
- MR. JACK SCHAEFER: Can I go first?
- DR. JIM KENDALL: We have a gentleman who 24
- 25 is speaking first there, Jack.

- 1 subsistence in the document and what would happen if there
- 2 was a catastrophe. The other part of your question deals
- 3 with oil spill response. And that would be our sister
- 4 agency and what they would require of -- on the ground
- should something happen. Okay? So what you said is very
- important, and we have got it in the record. That's what
- we needed.
- 8 MR. TARIEK OVIOK: Okay. Thank you.
- 9 **DR. JIM KENDALL:** Jack, your turn. Jack?
- MR. JACK SCHAEFER: Hello. Can you hear 10
- **11** me?
- 12 **DR. JIM KENDALL:** Yes, we can hear you,
- 13 Jack. Your turn.
- MR. JACK SCHAEFER: Okay. For the record,
- 15 my name is Jack Schaefer. I'm President of the Native
- Village of Point Hope. And I'm also city mayor of Point
- Hope. I thank you for attending and for providing us with
- some information with reference to some of the plans for
- the Chukchi Sea area. 19
- 20 I'll go ahead and repeat what was said before.
- 21 The tribal council is one of the governmental -- of the
- government. We have a responsibility to the well-being of
- our members, and as a government, we have governmental
- 24 functions and responsibilities in regards to health,
- 25 safety, economics, like any other government.

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- MR. JACK SCHAEFER: Okay. You got someone 2 else? I'll wait.
- 3 DR. JIM KENDALL: Okay. After he speaks,
- 4 I'll have you speak. So if you want to come a little
- 5 closer, if you don't mind, it would help so Jack can hear
- 6 you.
- MR. TARIEK OVIOK: I'm wondering, with
- 8 this study that you guys have submitted, one important
- 9 aspect that I haven't -- maybe I just haven't read it yet.
- 10 Is there -- within these documents that you guys compile,
- 11 do you guys have a -- somewhat of a backup plan that
- 12 consists of the Inupiat people and the alternatives that
- 13 you have in cases of catastrophes? What are you guys --
- 14 how do we fit into your plan as far as having resources to
- 15 help us during those catastrophes rather than just leave
- 16 us hanging? Because we -- as you know, we live off of the
- ocean and the land, and when technology, for whatever
- 18 reasons, dies down, and considering the fact that we have
- 19 been here since time immemorial, we obviously are still
- 20 going to want to be here. This is where we are from. We
- 21 live off of the land and the ocean. So in cases of
- 22 catastrophes, I don't see no plan. What is the plan
- 23 involved in that?
- DR. JIM KENDALL: Okay. That's basically
- 25 a two-part question. We consider the importance of

- And so we have been here for thousands of years,
- and we will continue to be here. This is our land, our
- 3 ocean, our property. And we feel and we do believe that
- we have a [indiscernible] right here and a human right
- 5 under the law. Our interests go beyond the 200-mile
- economic zone of the United States, which include
- [indiscernible], and we stated that before in the past in
- previous hearings. And we are seeking to recover our
- 9 ocean as ours.
- 10 In the District Court of the United States
- 11 [indiscernible], but it's what we are going to do and we
- 12 are obligated and we have been trying to do this since the
- 1970s. And so our interests are beyond 200 miles. We
- 14 have governmental functions. We have regulations that we
- 15 have to put together just like any other government. And
- we will keep that ownership. And we cannot do irreparable
- harm or imminent threats. We try to adjust them as we
- 18 can, and we are.
- 19 We have not been completely informed about
- responsible development. It has become a new pattern that
- is being used with explanation despite what we have said
- over and over again in regards to technology and how
- technology has evolved over the past several decades,
- 24 which was not very much evolution in regards to
- 25 technology.

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1	And so the Environmental Impact Statement is a
2	good step in the right direction. There is still a lot of
3	missing information. The United States shouldn't say that
4	they cannot gather this information because it costs too
5	much. There should not be any excuse with regards to the
6	United States' responsibility toward us as indigenous
7	peoples under the Compact [indiscernible] Association of
8	the United Nations that was done in 1938 [sic] in dealing
9	with their responsibility toward us and in the world. And

11 [indiscernible].
12 The policy is that we are a minority and we are
13 to be included in there and are supposed to be in control
14 of what goes on in our destiny. And we do not support
15 unresponsible development. We have to make sure that
16 things are done in a correct way. And we have not been
17 shown that. And we don't really know who to believe and
18 who to trust.
19 In regards to information that is being provided

10 they are still bound by [indiscernible] several years ago

20 to us, whether it be by our coworkers, whether it be by
21 ASRC, we have to have a very, very clear understanding and
22 proof, and that has not been given to us. The pressure
23 has been put upon us privately, publicly. We have been

24 [indiscernible] in regards to what is fair. We have been

25 represented by organizations that have not been

1 encroaching that we at its grassroots and those that are

2 not embodied -- we know the vast majority cannot afford to

3 buy gas to go out hunting.

So things have been talked about in ourcommunities and in regional gatherings that have not

6 really been shared or talked about, but they are aware

7 that the price is high and that there are only a few

8 people who can afford it. And that is a reality and we

9 [indiscernible] unless we come up with something else.

10 And our companies are responsible for generating jobs, and

11 our companies are aware that there is other nonrenewable

In regards to [indiscernible] that support

12 resources.

13

14 development, the future [indiscernible] that have looked
15 away from the Beaufort Sea area and turn away from the
16 proximity of the Trans-Alaska Pipeline. And you guys are
17 continuing oil and gas development in the Chukchi. So it
18 looks kind of strange that that picture has been painted.
19 It also looks very much like being reflected by Barrow.

20 And so when you look at all of those studies,

21 technical papers, all those -- all those papers that have 22 been generated since 1970, you will see where all that oil

23 is and where that trend is going and where all this

24 development is going to go. And they are trying to skip

25 that whole area when you look at that. [indiscernible]

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2 provided us with sure [indiscernible] or truth. And we3 should know that, and it should be on record that we don't4 know what mitigations are in place and what are adequate.

1 transparent, that have not been forthcoming, and have not

5 I personally feel they are not adequate, as I described

6 earlier in our questions dealing with the facts.

7 And so mitigation, feasibility, all of those8 things play a role in regards to whether something is

9 going to happen. And we don't have much [indiscernible]

10 clear and [indiscernible] refuse to cooperate with us in

11 regards to that because they are responsible for their own

12 feasibility studies [indiscernible] and how they are going

13 to do things, that we go into this on a step-by-step

14 basis, which is somewhat difficult and unfair in regards

15 to what we have been saying.

And so we own the ocean. It is ours. It was provided to us and God has given it to us and God is the

18 one that has provided it with all its food in our life and

19 our culture, and we can't go against that because that is

20 us. And we celebrate that with Thanksgiving, Christmas,

21 whaling festival.

There is talk about we are not going to be able

23 to survive without oil and gas, but there are also plans

24 that have been put into place that take into consideration

25 that the price of oil and gas is so high and it's

1 but still it looks that way. Culturally [indiscernible]

2 the Chukchi in the whole basin. That is something that

3 has not been said.

4 And so, technology is not there. It's very

5 difficult and impossible for us to support something that

6 has not been proven. And we still have the

7 [indiscernible] that we are pursuing. And [indiscernible]

8 to our ocean that belongs to us and we are taking care of

9 it and God is providing that to us. And we will always

10 hold that position until proven otherwise. And that

11 hasn't happened.

There has been a lot of pressure that's been

13 accounted to us, a lot of people from industry without

14 real clear explanation and proof that this can be done in

15 a safe manner. Responsible development has to show its

16 head that it's safe and prove that it is safe, not just

17 stated it's responsible without showing us or proving to

18 us. We haven't seen it. I don't know if anyone has seen

19 it. And if you have, please let us know because we sure

20 haven't seen it.

21 And so again, I thank you for allowing me to

22 speak. And we thank God for what he has given us. And we

23 thank God for that we have had good decisions, and one of

24 the decisions was made to have a relook at this

25 Environmental Impact Statement and we reflected and we

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- 1 thank God for it. And we will continue to maintain that
- 2 [indiscernible] and look forward to continue that way in
- 3 our life and performing as a responsible government and
- 4 moving forward to fulfill the offices that we are
- 5 obligated, to replace those people that are sitting there
- 6 facilitating these meetings with our own people because
- 7 that's our responsibility.
- 8 Thank you.
- 9 DR. JIM KENDALL: Thank you, Jack. Thank
- 10 you very much. Sir, come on up.
- 11 MR. SAYERS TUZROYLUK: Good evening.
- 12 Thank you for the opportunity to provide comments on the
- 13 Draft Second Supplemental to Lease Sale 193 Environmental
- 14 Impact Statement. My name is Sayers Tuzroyluk, and I am a
- 15 director of Arctic Inupiat Offshore, LLC or AIO and also
- 16 the Chairman of the Board of Tikigaq Corporation. TC is a
- 17 for-profit corporation created under the Alaska Native
- 18 Claims Act, ANCSA, with the purpose of providing economic
- 19 benefits to our shareholders. TC has approximately 1,500
- 20 shareholders, most of whom reside in Point Hope. TC is a
- 21 member also of AIO, which has made an investment in leases
- 22 that were sold under Lease Sale 193, and therefore we have
- 23 a strong interest in the Draft EIS.
- One thing the federal government did not do when
- 25 it sold leases in Lease Sale 193 was to deliver revenue

- 1 So despite the fact that we looked to the
- 2 government to take into consideration our needs, we took
- 3 it upon ourself to engage, and we now have a seat at the
- 4 table and have the ability to help guide Shell in its
- 5 operation to make them safe for our communities and also
- 6 our environment. This is very important, and it's
- 7 important for our shareholders and residents to
- 8 understand. We have the ability to influence their
- 9 program. And if they are successful, then we will also
- 10 get the reward and be able to pass that onto our
- 11 shareholders through dividends. We need to be actively
- 12 engaged.
- My comments on the Draft Second Supplemental for
- 14 the Lease Sale 193 will be short. First, we have not been
- 15 afforded the time to thoroughly review the draft document.
- 16 We understand that the scope of the Draft SEIS is very
- 17 narrow as defined by the Ninth Circuit Court of Appeals in
- **18** its remand.
- Thank you for -- thank you to the ` of Ocean and
- 20 Energy Management for releasing the Draft SEIS in a timely
- 21 manner. AIO will be providing more extensive written
- 22 comments on the Draft SEIS prior to the end of the comment
- 23 period which ends on December 22, 2014. We do ask,
- 24 however, though, that BOEM maintain its schedule.
- 25 Actually, we ask that BOEM maintain its schedule and not

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- 1 sharing to the communities closest to the exploration
- 2 through federal impact funds. The results were that the
- 3 coastal communities of the Chukchi Sea would assume the
- 4 risk of changes to our oceans and sustenance through
- 5 drilling, but we would not receive any of the benefits.
- 6 This situation created frustration and a long opposition
- 7 to the OCS in our community. It is -- it created division
- 8 within our culture in a place where we have to be good
- 9 neighbors. We were frustrated that the federal government
- 10 went forward despite our concerns. Really what we were
- 11 provided was a public process that asked for our input
- **12** after the fact.
- The rifts in our community created an
- 14 opportunity to outside interests to prevail and to try to
- 15 speak for us, represent us and use us. There have been
- 16 many lawsuits filed, and this Draft SEIS is a result of
- 17 such legal action. However, we decided to take things in
- 18 our own hands, and TC joined with five other village
- 19 corporations and our regional corporation, which is ASRC,
- 20 to form AIO. We felt we needed to do this because if OCS
- 21 was going to happen, then we needed to find a way to get
- 22 some of the benefits and not just all the risks. We did
- 23 something we never contemplated before. We bought an
- 24 interest in leases that Shell owns. Those are the leases
- 25 that were shown.

- 1 let it slip so that we can have a timely Record of
- 2 Decision issued and hopefully close this matter about
- **3** Lease Sale 193 once and for all.
- 4 Again, I thank you for your time and attention.
- 5 Additionally, more information will be detailed and our
- 6 comments will be forthcoming. Thank you.
- **DR. JIM KENDALL:** Thank you, sir. Can we
- 8 have your document for the notes?
- 9 MR. SAYERS TUZROYLUK: Yes, you may.
- **DR. JIM KENDALL:** Excellent. Thank you
- 11 very much.
- The floor is open. Earl.
- 13 MR. EARL KINGIK: Earl Kingik, for the
- 14 record. I'm going to take my hat off. I work for the
- 15 Alaska Wilderness League. It's a nongovernmental
- 16 organization, but I'll take my hat off and put my hat on
- 17 as a Point Hoper. On actions to be taken I said no.
- 18 Alternative 2 should be considered because our animals and
- 19 our way of life depends on the ocean that they are going
- 20 to have a lease sale on and EIS is in the process. I
- 21 thank Native Village of Point Hope for appealing and
- 22 giving another round to go through this very important23 document that's going to be going forward for our young
- 24 people. I am happy to see our young kids to being here.
- 25 They will be impacted by the activity of this EIS.

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- I'd like to make my comments short because our
- 2 president on Native village made very strong comments, and
- 3 I'm 100 percent behind him. We are really against
- 4 offshore activity because we are a part of the ecosystem.
- 5 Without the animals we wouldn't be here.
- 6 When I look to my east, I see land. When I look
- 7 to my south, I see ocean. When I look to my west, I see
- 8 ocean. And again, I look to my north, I see ocean. The
- 9 ocean is our way of life. The ocean is very important to
- 10 the people of Point Hope. We have been living here for
- 11 thousands of years. To let you know, we are the oldest
- 12 inhabitant community in North America, and we should be
- 13 part of that. Not only will oil development be impacting
- 14 our area; we are having high heavy traffic that will be
- 15 going on. Oceanliners. A lot of that is going on.
- In the last few months you have heard about this
- 17 barge that's up in the north, a Canadian barge -- they
- 18 couldn't even rescue it -- with over 5,000 gallons of fuel
- 19 in there. And if it happen in our Chukchi, it will happen
- 20 the same way. We don't know if they are going to be able
- 21 to clean it.
- I had a chance to go to the Deep Horizon when I
- 23 first got work for the Alaska Wilderness League. I
- 24 witnessed how the government works. I witnessed how the
- 25 oil industry works. They were stalled at least two

- 1 for these projects because nobody has assured us this is a
- 2 safe way to do things. The oil companies, when they come,
- 3 they haven't assured us these things will work for us.
- 4 Until you get 100 percent assurance from someone, maybe we
- 5 might allow it. But I know that money talks. Money is
- 5 going to do it for them.
- 7 How could we win over this, but by the grace of
- 8 God who has given all of this for us? We cannot buy the
- 9 whales. We cannot buy the ugruk. We cannot even sell it
- 10 right now. How they expect us to take care of ourselves
- 11 should catastrophe happen in our ocean?
- They are still investigating the oil spills at
- 13 the Gulf. They still haven't figured out why, why it
- 14 happened. Even up to today, they haven't had any answers.
- 15 And I'm really uncomfortable with that.
- I oppose the Lease Sale 193. This is from my
- 17 heart. Some people might think differently, and I honor
- 18 your -- your -- your opinion. But we have lived this way
- 19 for so long, it's going to hurt us. Not only us. We have
- 20 an opportunity to live this way. We pass it onto our
- 21 children. What are we expecting for our grandchildren?
- 22 Not to even be able to go out there and hunt? And that's
- 23 what I see. I see the red sea. I oppose that. And I
- 24 just pray to Our Heavenly Father that they won't find
- 25 anything out there. Thank you.

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- 1 months. When I go out in the ocean, I could smell it.
- 2 Burn my eyes, my nose. The crude oil couldn't get out of
- 3 my nose for a long time.
- 4 See, our Elders always have an Elders
- 5 conference. And we always hear from my Elders, don't let
- 6 them go to our ocean. Don't let them do any kind of
- 7 activity in our ocean because this is our way of life.
- 8 This is what keeps our people united. This is what keeps
- **9** our activity going on as a strong cultural community.
- 10 So I strongly say I want Alternative 2. Thank 11 you.
- **DR. JIM KENDALL:** Thank you, Earl. Who would like to speak next?
- 14 MS. LILLIAN AANA LANE: Good evening. I
- 15 speak for myself. My name is Lillian Aana Rock Lane. I
- 16 speak for myself. The animals, the ocean, the land, the
- 17 air are intertwined. They cannot go without each other.
- 18 If any disaster happened, it will ruin our garden. That's
- 19 our garden. It provides everything for us: The natchiq,
- 20 the nanuq, the ugruk, the agviq, which we treasure, which
- 21 we treasure. And this is -- this has been happening since
- 22 time immemorial. And we want to keep it that way.
- I understand the changes, the wants, the needs.
- 24 The love of money is the root of evil. I really don't
- 25 trust the equipment, the equipment that they will be using

- **DR. JIM KENDALL:** Thank you. Who would **2** like to speak next? Yes, ma'am.
- 3 MS. MAE HANK: Mae Hank, for the record.
- 4 I am an Inupiat Community of the Arctic Slope Tribal
- 5 Council member. I'm a tribal -- I'm a Native Village of
- 6 Point Hope tribal member, also a shareholder of Arctic
- 7 Slope Regional Corporation and Tikigaq Corporation, and I
- 8 oppose any activity on the Lease Sale 193. They have no
- **9** proof of any way to contain any oil spill that happens.
- 10 We saw already what the Gulf has done for the Pacific11 [sic].
- Majority of our year our ocean is covered with
- 13 ice. How do they propose to contain any oil spill under
- 14 the ocean ice? How do they propose to do it? Once the
- 15 ice breaks up, it spreads all over. The ice will act like
- 16 a suction, like a sponge, and it will spread all that oil
- **17** spill all over.
- One thing that the federal government should be
- 19 putting regulations on is importing oil and gas. Retain
- 20 it just for the United States because in order to do that,
- 21 we have to -- we have to make sure -- ensure that the
- 22 First Nations are not being jeopardized for the sake of 23 money. Sure, we enjoy the type of life we live now, but
- 24 the thing is, there is alternative energies, and that's
- 25 what President Obama is encouraging all the states to do

22

23

24

have it.

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	1 is to look into alternative energy, renewable energy. And	1	comments. Who else would like to speak for the record?	
	2 it hurts to see what's happening for the sake of money.	2	MR. JIM NASH: Jim Nash, for the record.	
	We prefer to have our Native food, our	3	What is the primary action plan for any NGLs pulled off of	
	4 traditional food. Can the government guarantee us	4	an oil rig here in the Arctic?	
	5 alternative food in the event of an oil spill? Can they	5	DR. JIM KENDALL: The NGLs?	
	6 provide us annually for 50 generations food every year?	6	MR. JIM NASH: Any natural gas liquid.	
	7 Because the majority of the communities are unemployed.	7	DR. JIM KENDALL: Betty?	
	8 They rely on traditional food. They rely on the whale,	8	MS. BETTY LAU: The first stage of	
	9 the beluga, the walrus, the bearded seals, the seals,	9	development, those will be sent in the oil pipeline to	
1	.0 fish, caribou, and whatever our land provides. Can the	10	Prudhoe for processing.	
1	1 government guarantee us food annually for 50 generations	11	MR. JIM NASH: Because based on every	
1	2 if they are going to risk our livelihood, annihilating our	12	question I've asked so far, does everyone know that we are	
1	.3 culture, our religious practices? Will they guarantee us	13	talking on step 2, but they have already planned for step	
1	4 that?	14	99? We might be talking about step 2 right now, but	
1	.5 That's that's in the part where food security	15	thought has gone into step 99 already. And every question	
1	.6 comes in. You are willing to risk the First Nations'	16	that I've asked so far has been to show that. And even	
1	7 food? Every time you intend to drill out in the ocean,	17	though we are stuck talking about step 2 right now, I	
1	.8 you are risking our food. We eat it. I just thawed out	18	think it's unfair to us as a community, as a people, that	
1	9 some muktuk tonight because I haven't had dinner, muktuk	19	you are already thinking of step 99, 100, 125 in this	

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DR. JIM KENDALL: Thank you for your

comment, but we have to follow the law and go step by

1 ahead. Approve offshore development. Approve the 2 maritime traffic. Approve seismic testing. 3 And then I found out that I heard there is 4 another alternative besides seismic testing where they can 5 look in a pod as to how deep it is where they wouldn't 6 have to jeopardize our animals because every time they do 7 seismic testing, they kill off the tomcods. We can't get 8 tomcods every time for several winters. I know I am a shareholder of Tikigaq Corporation

and fish. That's going to be my meal when I get home

time. Our freezers have to be stored in order for us to

And with the climate changes, everybody says,

after this meeting. I eat it. I have to have it all the

25 oh, it's going to happen. It's going to happen. Go

10 and Arctic Slope Regional Corporation that supports offshore, the oil development activities that are proposed to happen on Lease Sale 193. But my shares say no to it. 14 say no to offshore development from Tikigaq Corporation and ASRC. I am a shareholder, but we did not voice our right to say yes or no. They made that decision in the 17 rooms, in their conference rooms, and they did not go to us, the shareholders, to make that determination whether we wanted to go. And I oppose it. My shares oppose it. My shares in Tikigaq Corporation, my shares in Arctic 21 22

My -- my family and my grandchildren, over 1,000 shares Slope Regional Corporation oppose any development on 193. I'd like to thank you guys for coming here and giving us the opportunity to speak. And I hope we are

24 being heard and not set aside. Thank you for your time.

DR. JIM KENDALL: Thank you for your

1 them any rights until they follow the law. But thank you

for your comment. Sir, you were --

step. But it was set up that way so that when a

24 leaseholder gets a lease, it only gives them the right to

25 submit an exploration plan, et cetera. It doesn't give

3 MR. STEVE OOMITTUK: Yeah. Steve Oomittuk. You know, I lived in the Arctic all my life.

You know, we grew up here. We were raised in a different

6 time, you know, before all this energy came, and now we

are depending on it. You know, we lived without oil, we

8 lived without gas, you know, electricity, in our time,

snowmachines. You know, we know we can't go back to how

it was, but we are concerned about the safety, you know,

of the animals. You know, they are who we are. They are

our identity as a people, our food source.

13 Yeah, there is oil, there is gas. We don't

14 benefit from it. We are the highest paying people for a

gallon of gas or diesel. We are lucky to be subsidized;

otherwise we would be paying this enormous rate. Here it

comes off our land and our ocean, and we pay the highest

for gas, for diesel. You know, we are very low income.

We are low population.

whole process.

21

20 We rely on subsistence, a way of life that has been passed to us for thousands of years. Without the

animals, we wouldn't be here. Our food, our shelter, our

clothing, our identity as a people that has been passed

24 from one generation to another. I want my kids to

25 continue that, my grandkids, their kids. You know, the

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- 1 population of the Arctic is never going to grow. We are
- 2 always going to rely on the land and the sea, the sky
- 3 for -- you know, for our food. It is who we are as a
- 4 people.
- 5 We want insurance that, you know, our way of
- 6 life and the animals that make us who we are are
- 7 protected. You guys are making this decision for us. We
- 8 have no jurisdiction in this federal waters even though we
- 9 have been here for thousands of years. We want insurance
- 10 that, you know, these companies that are coming in and
- that, you know, these companies that are coming in and
- 11 taking it out of our ocean, we want -- we want to ensure
- 12 that, like I said, 100 percent, that there isn't going to
- **13** be a spill.
- You know, we see our climate changing. We see
- 15 all these things happening in the Arctic: The ice, you
- 16 know, the weather. The ice retreats back over 400 miles
- 17 now. It used to only retreat 100, 80 miles. Even 80.
- 18 You know, now it goes 400. We see the currents, you know.
- **19** Look, we still have no ice out there. It's just forming.
- But we want insurance. If BOEM is going to be
- 21 responsible for this -- you know, you are talking about
- 22 our livelihood, our way of life. You know, we -- yeah, we
- 23 are never going to leave. We're always going to be here.
- 24 You know, it's so expensive for us just to go to Kotzebue.
- 25 We have no jobs here. We have no money. But yet we still

- 1 looked at side by side, definitely. And she has to
- 2 realize that our food that we get from our land and our
- 3 ocean is what we survive on, is what we eat practically on
- 4 a daily basis.
- 5 If she came here and looked at everybody's
- 6 freezers, you are not going to see -- you'll see a few
- 7 pizzas or burritos or whatever, but 90 percent of our
- 8 freezers are full of the animals and the birds and the
- 9 fish and the whales that we catch, the berries that we
- 10 pick, you know. And nobody has more -- just one freezer.
- 11 Everybody has two, three freezers. We have -- we have ice
- 12 cellars down there where the whaling captains store the
- 13 whales, part of the whales that they catch each year,
- **14** underground ice cellars. Have you seen those yet? Have
- 15 you heard about those yet? I mean, the whale's tail goes
- 16 there until it's time to do our whale tail celebration,
- 17 our ceremonies. The muktuk and the whale, the meat go
- 18 there until Thanksgiving and Christmas, and then they
- **19** share with the whole community.
- I mean, those are an important part of our whole
- 21 culture. I mean, the animals that we hunt and survive off
- 22 of is what makes us who we are. And the Secretary of
- 23 Interior needs to understand that and you need to make
- 24 sure that is as important as Western science in your
- 25 Environmental Impact Statement.

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- 1 pay the highest for a gallon of gas or diesel. It doesn't2 benefit us.
- 3 In the beginning when the borough was formed,
- 4 yeah it did, but today, no. We want insurance that we are
- 5 protected, the animals are protected because without the
- 6 animals, you know, we are nothing.
- But we thank you for coming. We thank you for
- 8 listening and hearing our concerns. You know, we know we
- 9 can't go back to the way it was, but we want to make sure
- 10 we have a voice and that somebody is listening. Thank11 you.
- II you.
- **DR. JIM KENDALL:** Thank you, sir.
- MS. PEGGY FRANKSON: Peggy Frankson.
- 14 Thank you for coming and hearing our comments on the EIS.
- 15 One thing that I'll be having our council review is on
- 16 page 119. The wildlife for Point Hope area is not
- 17 correct. So we will be sending you correct information on
- 18 all the wildlife and land and sea mammals, birds that we
- 19 have here in the area.
- In addition, I also want to say thank you for
- 21 making our traditional knowledge part of this
- 22 Environmental Impact Statement. And Secretary of the
- 23 Interior needs to realize that, like you said earlier,
- 24 it's not this -- traditional knowledge and Western
- 25 science, they are totally different, but they need to be

- 1 Thank you.
- **DR. JIM KENDALL:** Thank you very much.
- 3 Who else would like to offer comment for us? The floor is
- 4 open. All are encouraged. It's your meeting. What you
- 5 tell us goes into the record. We take it back and study
- 6 it and pass it on.
- 7 I think everybody is getting tired. And thank
- 8 you for sending in the revised information. That is
- 9 exactly what we need. I mean, that is absolutely perfect.
- 10 Thank you. If we don't hear anything else --
- 11 MR. JIM NASH: What is the line of
- 12 communication between this meeting and every other meeting
- 13 that happens? Who is it going to, all the stuff that the
- **14** stenographer is writing?
- **DR. JIM KENDALL:** All that information
- 16 comes in, it goes to our analysts, the people that work on
- 17 Fran's team and others. We study it just like we would
- 18 study a science paper, and we integrate that into the
- 19 document, and we hope that the document -- and we strive
- 20 to make the document something that not only we are proud
- 21 of, that you are proud of it, too, because you can see
- 22 your information in there.
- 23 MR. JIM NASH: And also what is the
- 24 timeline from the first rough draft to the draft you have
- 25 now? How many days expired between that point and now?

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- **DR. JIM KENDALL:** Mike, do you have a
- 2 handle on that?
- 3 MR. MIKE ROUTHIER: The -- we said earlier
- 4 this was in response to a court decision, and that
- 5 decision happened in January, and that's when we knew we
- 6 would have to do something. So we have been working on
- 7 this document for almost a year.
- 8 MR. JIM NASH: So if you are given that
- 9 amount of time to create this document, why have we not
- 10 been given that same amount of time to review it?
- 11 MR. MIKE ROUTHIER: Well, the review
- 12 started -- come about August we had something in good
- 13 enough shape to send out to the cooperating agencies,
- 14 which included the borough. But it just wasn't polished
- **15** enough to send out for public review until last month.
- **MR. JIM NASH:** Okay. So you are saying
- 17 you had about nine months, ten months to create the
- 18 document. Why is it that we only get 45 days to help you
- 19 review it by giving our input into it? Why aren't we
- 20 given the nine months also to prepare our arguments as to
- 21 why we should be against this?
- MR. MIKE ROUTHIER: That's a good
- 23 question. The timeline, though, is out of the hands of
- 24 anyone here. It was dictated by the department, by the
- 25 Court.

MR. ELIJAH ROCK, SR.: The way I

- 2 understand what people are talking about right now is that
- 3 we are actually under the government that runs the world.
- 4 And what we say has no power at all because when you say
- 5 it's not our department, okay, then it goes to a different
- 6 department that we should be talking to, but they are not
- 7 here. It's something that we have encountered for many
- 8 years as far as the present world in Point Hope and our
- 9 government always telling us -- you know, coming in and
- this has got 45 days, this has got a year. This is one
- **11** step, two step, three.
- These are things that always come to my mind
- 13 that doesn't even help me or my -- my generation here or
- 14 younger generation that will be here after me and a lot of
- 15 us. And we are run by the government, and the government
- 16 alone has the power. We don't have no power at all.
- L7 That's the way I understand it.
- DR. JIM KENDALL: Well, a good comment.
- L9 We are looking at -- right now we are working under a plan
- 20 called integrated Arctic management where we are trying to
- 21 get all agencies involved in helping to make decisions to
- 22 know what each other is doing. So when Mike and Betty
- 23 went through the cooperating agencies and the
- 24 participating agencies, that was a pretty long list of
- 25 folks that are helping to do the document. That's

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- 1 MR. JIM NASH: Is there not a way to put a 2 delay on? Does anyone have a motion for delay?
- 3 MR. MIKE ROUTHIER: You can certainly
- 4 request one.
- 5 **MR. JIM NASH:** All right.
- 6 MR. TARIEK OVIOK: Since you guys are
- 7 speaking on behalf of safety, along with what he's talking
- 8 about, isn't that something that would be your
- 9 responsibility, to put a delay on that concern? Is that a
- 10 fair question? What he just mentioned there and what he
- 11 responded, is it fair within the parameters of you guys
- 12 coming here and looking at everything thoroughly for
- 13 safety precautions and all the other dynamics, so within
- 14 all that, you guys wouldn't entertain the thought of
- 15 putting that very delay that he just mentioned?
- **DR. JIM KENDALL:** It's not our decision.
- 17 We will definitely take that information back and pass it
- 18 up, but we have to do what has been agreed to between the
- **19** Department of Interior and the Court. And we are doing
- 20 what we have to do because that's the arrangement between
- 21 the Court and Interior. You are welcome to say what you
- 22 said, and we will pass that up. But right now we have got
- 23 to keep to our schedule unless someone above us changes 24 it.
- Anybody else? Please look at the website.

- 1 probably the best we've had in a long time. So it is 2 getting better.
- 3 I understand what you are saying, but the law
- 4 says that this document is under our bureau, but we asked
- 5 other agencies to see it and help us with it. But as they
- ${f 6}$ say, somebody has to be the point group on it or point
- 7 person, and that's us. And of course, all our colleagues
- 8 can see these comments. And we will do what we can to
- 9 spread the word, sir.
- MR. ELIJAH ROCK, SR.: And you also
- 11 explained that there is a law. If we break the law, we go 12 to jail.
- **DR. JIM KENDALL:** And if we break the law,
- 14 we would probably go to jail, too. So we are doing our
- 15 best to follow the law. That's why I have lawyers to help
- 16 me. Hi, Liz.
- 17 MR. ELIJAH ROCK, SR.: We are on the same
- 18 boat. Whether we say we want this or we don't want it, it
- 19 doesn't make any difference what we say here. The
- 20 government has their opinion and their laws that will
- 21 certainly be something that will be the outcome. The law22 and the government will do whatever they can, whatever
- 23 they want.
- **DR. JIM KENDALL:** I think we are all in
- 25 the same boat, and I can assure you your comments will be

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1	taken with us and put forward.	1	concept. I'm glad you told us, and we have got it in the
2	MR. ELIJAH ROCK, SR.: Thank you.	2	record. Fascinating.
3	DR. JIM KENDALL: Thank you. Anyone else	3	MS. LILLIAN AANA LANE: Put yourself in
4	before we close? Yes, sir.	4	this scenario. How would you feel if we took your cows,
5	MR. BILLY STONE, SR.: What he's trying to	5	your pigs and your chicken away from you?
6	say is probably we're the ones that live up here and you	6	DR. JIM KENDALL: That wouldn't be a good
7	guys are the ones that are receiving what you get from our	7	thing.
8	waters.	8	MS. LILLIAN AANA LANE: That's how we
9	DR. JIM KENDALL: You are correct, and	9	feel.
10	that's why we are here. And your name again, please?	10	DR. JIM KENDALL: Absolutely.
11	MS. BILLY STONE, SR.: Billy Stone.	11	MS. LILLIAN AANA LANE: Thank you.
12	DR. JIM KENDALL: Thank you. That's why	12	DR. JIM KENDALL: Thank you. Anyone else?
13	we are up here. We wish we could come up more. I was	13	This is a good conversation we had tonight.
14	telling some of the other Elders, anytime you are in	14	MS. PEGGY FRANKSON: Are you getting very
15	Anchorage, you can stop in our office. We have got	15	many input from other communities?
16	nothing to hide. And we appreciate everything we get from	16	DR. JIM KENDALL: I wasn't to the one
17	you. Any more?	17	in Sharon, could you address Kotzebue?
18	MR. JIM NASH: The money made on Lease	18	MS. SHARON WARREN: Yeah. We went to
19	Sale 193, where did the money go?	19	Kotzebue and we had a public hearing in Kotzebue and we
20	DR. JIM KENDALL: That went into basically	20	had a few that were testifying. We got a lot of good
21	the Federal Treasury, but there are some calculations	21	comments onto the record. And another thing that was
22	there. And I don't have all the details with me. That's		brought out and I just wanted to pass on the question
23	why one of the other gentlemen was talking about revenue	23	was asked where can you see the communities.
24	sharing. That's something the Congress has been talking	24	When we put out the final Environmental Impact
25	about for a long time.	25	Statement, what Mary is doing is she's doing a transcript.
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MR. JIM NASH: Does that go with any other
2 oil field or any other exploratory wells?
3
           DR. JIM KENDALL: Well, the federal waters
4 belong to the federal government, and the revenue comes
5 into the federal government.
           MR. JIM NASH: What happens if there is
  evidence of water use that predates the federal
  government?
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9 DR. JIM KENDALL: That would be 10 interesting.

11 MR. JIM NASH: Would like some jaw bones, 12 if they were tested and dated that predate any time that the federal government was here, would that be taken into 13 14 account, also? 15 DR. JIM KENDALL: Are you talking about

16 archeology sites? 17 MR. JIM NASH: Not even just archeology sites because common practice sometimes is after a whale is caught, a jawbone gets sent back into the ocean. And

that's been going on for quite a while. And if they were 21 to find some of those jaw bones, the old jaw bones, and do

22 the carbon testing for dates, and if any of that were to

predate any federal government involvement, then by law 24 wouldn't that mean that's our waters?

25 **DR. JIM KENDALL:** That's an interesting 1 All those transcripts will be in that document so you will

2 be able to see also what other communities have said in

3 the final. What also is -- a lot of times we get the

4 transcript pretty close to the time.

We also put them up on the website even before we get the final out so you will be able to see what was

said in those transcripts, as well, for all the sites.

And same with the regulations.gov. When individuals put

9 their comments in, we put them on the website as soon as

they come in so you can see who has all commented to date

on the regulations.gov. So you will be able to see -- as

people start putting their comments in, you can go on that

site. And even if you are not ready to put your comments

14 in, you can see everybody who is putting comments in and

what they are saying.

16 MR. STEVE OOMITTUK: So you could read the 17 other comments from the other communities as they come in?

MS. SHARON WARREN: Correct. 18

19 MR. STEVE OOMITTUK: They have till

December 22nd, 8:00 p.m., and that's when it stops?

21 MS. SHARON WARREN: Correct.

22 MR. STEVE OOMITTUK: So if we wanted to

23 write in more comments, we could go to this website and --

DR. JIM KENDALL: Yes. It's just not

25 tonight. We wanted to come out here personally, but you

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- 1 can go home, think about it, you know, see what other
- 2 people are putting up there, and add yours. Anyone else?
- MR. TARIEK OVIOK: I have a question for
- 4 the record. That was an interesting thing that Jimmy Nash
- 5 brought up concerning the jaw bones in our ocean as far as
- 6 the head bone when we catch a whale. The -- what -- in
- 7 your -- just based on personal communication, in your
- 8 opinion would you agree that since this involves study and
- 9 based on what Mr. Nash has just said, that there has not
- 10 been a thorough study in regards to the traditional
- 11 perspective?
- 12 **DR. JIM KENDALL:** I would have to ask my
- 13 experts on traditional knowledge that work with the tribes
- on a more regular basis than I do about that.
- 15 MR. TARIEK OVIOK: I mean, that's a
- 16 simple -- that's a simple question. I'm asking you.
- Based on what he just told you that that is a part of our
- custom, you responded to him that that was interesting and
- that you have not heard about that, which is
- understandable. So just based on conversation and
- question, based on what you heard there, would you believe
- 22 that there hasn't been a thorough study in perspective of
- the traditional knowledge?
- 24 **DR. JIM KENDALL:** I would have to ask my
- 25 traditional knowledge folks. I cannot answer that.

- 1 villages and the boroughs will be consulted. At this very
- 2 early stage, the boroughs have helped us develop our plan
- 3 for this study, but this study is not off the ground just
- 4 yet to establish these panels. And we have done a large
- number of studies over recent -- we had a recently
- completed study examining the sharing networks among the
- villages on the North Slope. I don't remember exactly
- which villages. I'm an oceanographer by training, so I am
- not deeply involved in those studies. But I am -- as the
- studies plan coordinator, I am very aware of them. But I
- can give you further information and help you find -- and
- give you my contact information.
 - MR. TARIEK OVIOK: So while those panels
- 14 are being established, these decisions are still going to
- 15 go forward?

13

- 16 MS. HEATHER CROWLEY: They are -- they are
- 17 different -- basically, yes, because they are somewhat
- different processes. We have been developing -- we have
- been conducting studies over many, many years. Our
- studies program is over 40 years old and including the
- social science studies, including some of the --
- incorporating traditional knowledge into our studies. So
- we have -- we have been doing this all along. It's just
- 24 that that particular study with the TK panels is just one
- 25 of the ones that's coming up right now.

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- MR. TARIEK OVIOK: But we are the
- 2 traditional knowledge folks. We just fed you that
- 3 information.
- **DR. JIM KENDALL:** And we have people on
- 5 our staff that has worked with the whaling captains.
- 6 Heather.
 - MS. HEATHER CROWLEY: Well, we have a very
- 8 broad-based environmental studies program. One aspect of
- 9 that is social science and traditional knowledge. We have
- 10 had quite a few studies over the years and very recently
- 11 including traditional knowledge, including mapping of 12 subsistence hunting activities, particularly in the water,
- 13 the oceanic, so the whale hunts, the seal hunts, that type
- 14 of thing. We haven't focused as much on the terrestrial
- 15 hunting, subsistence activities in our current studies.
- 16 We also have a study that we are starting up
- 17 right now that will involve organizing panels of people
- from the various villages. I know the boroughs, both the
- Northwest Arctic Borough and I believe also the North
- 20 Slope Borough, will be involved in that to establish sort
- 21 of panels who can help us to guide us in incorporating
- 22 traditional knowledge into our scientific research. 23 MS. MAE HANK: What about the tribes?
- MS. HEATHER CROWLEY: The tribes and --
- 25 yes, it will be a broad base, and the tribes and the

- MR. REX TUZROYLUK: I want to make a
- comment as far as water rights. And these two gentleman,
- 3 I'm so glad they brought this issue of water rights. In
- 1865 our great chief, Chief Attungowruk, was competing
- with a system for the candles and the girdles. And I'm
- sure if the Department of Interior could have knocked on
- his door or whatever it was in 1800s, but -- Point Hope
- was part of the commercial whaling. Our chief was a great
- whaler. He provided these things for us. And even though
- there were other countries that the British -- you know,
- in 1865. And these two young men bringing up the water
- 12 rights, I think we should visit these things. We have
- been here a long time again. Thank you, gentlemen.
- DR. JIM KENDALL: Thank you. 14
- 15 MR. STEVE OOMITTUK: Yeah. You know what
- 16 Jimmy is talking about, like he said, we have been here
- for thousands of years, you know. We have been putting
- the whale's head in the water after we catch it for 2.000
- years. We believe in the reincarnation of the animal that
- has fed us for -- our graveyards, our houses, our peace
- grounds are made from the whale jaw bones. When we catch
- 22 a whale, we always push the head back into the water when we are all done because it comes back to us. And we have
- 24 been doing this for -- we are considered one of the oldest
- 25 continuous habitants in North America. We have been here

REPORTER'S CERTIFICATE

I, MARY A. VAVRIK, RMR, Notary Public in and for

That the foregoing proceedings were taken before

me at the time and place herein set forth; that the

proceedings were reported stenographically by me and later

transcribed under my direction by computer transcription;

the State of Alaska do hereby certify:

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Page 106 1 for thousands of years hunting and gathering these same 2 animals. 3 And this is why we are so concerned. This is 4 why we want our, you know, future generation to be able to 5 do the same things what we have done, what our ancestors **6** done that has been passed from one generation to another. 7 We don't want this to die because if it dies, we die with 8 it. It's our identity. It's our way of life. It's who 9 we are as a people. We want to continue. We want our 10 younger generation to have that same thing that we had as 11 we were growing up. 12 Now we are seeing all the changes, but, you 13 know, our food source -- like we said, we are subsistence 14 hunters. We have -- we are a very low income community. We rely on the ocean. And that's our concern. That's our 16 food source. We want to protect it. We want to make sure that we continue eating off the ocean. And when we are gone, our kids continue and their kids. We are not just 19 thinking of ourselves. We are thinking of the future, **20** also. 21 DR. JIM KENDALL: Thank you. Any final 22 comments? Okay, then. With that, I'd like to close the 23 meeting out. And thank you very much for coming tonight. 24 I know it's been a long time. These are very serious 25 matters. We will take all your comments back with us. We

that the foregoing is a true record of the proceedings taken at that time; and that I am not a party to nor have I any interest in the outcome of the action herein 11 contained. 12 IN WITNESS WHEREOF, I have hereunto subscribed 13 my hand and affixed my seal this ____ 14 2014. 15 16 MARY A. VAVRIK, Registered Merit Reporter Notary Public for Alaska 17 18 19 My Commission Expires: November 5, 2016 20 21 22 23 24 25

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2

1	are going to another village. We were in a village last
2	night. Please submit any additional comments. We have
3	got nothing to hide. We will put it together and we will
4	pass it forward. That's our job, and we want to do it
5	well, and we want you to be part of the process. So thank
6	you very much for the long meeting tonight.
7	MR. TARIEK OVIOK: Thank you for adding
8	the extra time for us to speak.
9	DR. JIM KENDALL: Our pleasure. And have
10	a good rest of the week.
11	(Proceedings adjourned at 10:13 p.m.)
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	12:18;59:15;79:17;	72:4	104:6	87:1,1,2
\$	88:3	agency's (1)	amount (10)	approved (2)
Ф	actions (1)	9:3	11:13;15:18;36:5;	64:22;66:15
\$110 (1)	81:17	ago (5)	37:4;68:17,19,22;69:6;	approximately (1)
13:25	actively (1)	7:18;33:5;42:19;	94:9,10	78:19
13.23	80:11	60:23;74:10	analysis (8)	April (3)
Γ	activities (8)	agree (4)	11:21;12:1;29:9;	20:4,4;22:5
L	55:5;56:10;59:16,20;	40:18;47:16;52:10;	37:7;44:25;47:14;55:9,	archeology (2)
[inaudible] (1)	61:18;87:11;103:12,15	102:8	11	99:16,17
40:13	activity (6)	agreed (1)	analysts (1)	Arctic (28)
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5	PUBLIC HEARING
6	FOR 193 REMAND - CHUKCHI SEA
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8	BUREAU OF OCEAN ENERGY MANAGEMENT
9	
10	Wainwright, Alaska
11	Taken November 20, 2014
12	Commencing at 7:00 p.m.
13	Volume I - Pages 1 - 63, inclusive
14	
15	Taken at
16	Robert James Community Center Wainwright, Alaska
17	
18	
19	
20	
21	
22	Reported by:
23	Mary A. Vavrik, RMR
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MIDNIGHT SUN COURT REPORTERS (907) 258-7100

Page 2 Page 4 1 A-P-P-E-A-R-A-N-C-E-S 1 what you say because that information is going to be put 2 Bureau of Ocean Energy Management: 2 together in our analysis. And after they go through and 3 James Kendall 3 they verify everything is okay in terms of spelling and Regional Director 4 4 stuff, it will go up on the website so that everybody Sharon Warren 5 Deputy Regional Director knows we are being transparent and people can see all over 6 Michael Haller Tribal and Community Liaison the country what you said, including the Secretary. 7 If you happened to bring something with you in Michael Routhier 8 Program Analysis Officer/Project Manager writing, you are free to give it to Mary. That will help 9 Betty Lau Chief of Resource and Economic Analysis Section make her record accurate. So that's the whole point. All 10 right? And I think I probably said enough. So please Frances Mann 11 Section Chief Environmental Analysis Section speak loud so Mary can hear you. Give her your name. 12 That will be very important. Anything in writing that you 13 Taken by: Mary A. Vavrik, RMR have, please provide it to Mary. She will make sure her 14 record is correct. 15 And with that, I'm going to turn it over to Mike BE IT KNOWN that the aforementioned proceedings were taken 15 16 Routhier and Betty. They are the manager of the project, at the time and place duly noted on the title page, before 17 Mary A. Vavrik, Registered Merit Reporter and Notary as well as Betty's an engineer to go into some of the details if you have questions. So Mike and Betty, let's 18 Public within and for the State of Alaska. 19 go through the presentation for our new friends. 20 20 MR. MIKE ROUTHIER: Okay. Thank you, everyone. As Jim said, we are here to talk to you tonight 21 about this document we are producing. It's called Chukchi 22 Sea OCS Oil and Gas Lease Sale 193 Draft Second 23 24 Supplemental Environmental Impact Statement. All that 24 25 means is that it's an environmental analysis that we did 25

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P-R-O-C-E-E-D-I-N-G-S 1 2 (Prayer offered by Rossman Peetook.) 3 DR. JIM KENDALL: Thank you very much. 4 Thank you for coming out tonight. I will keep my comments 5 brief so that we can jump into the presentation. But this

6 is a real important meeting. If you see the stack of big

7 blue books over there, those are draft documents. We need

8 you to help us make it better. The decisionmaker, the

9 Secretary of the Interior, is going to be the recipient of

10 this document, and she will use that material and other

11 stuff she has at hand to make a decision about a lease

12 sale we had in 2008. We had to redo a part of it. And

13 Mr. Routhier is going to go through and explain what that

14 is.

15 But this is important. Our goal is to have the

best document that has the most information in it. It's

17 not just science. It also includes traditional knowledge

and what you think is important. So anything you tell us

tonight we need to capture by Mary taking the transcripts. 19

20 Now, aside from you all, she is the second --

21 you are the first most important people in the room.

22 She's the second most important person in the room. So if

23 you decide to say something, ask a question, give some

24 testimony, give your name to Mary so she can give it --

25 write it down. And also speak loud enough so she can get

1 on -- to try to understand the effects, the potential

effects of leasing areas of the ocean for oil and gas.

And first we will do our background information

4 about who we are and what we do. As Jim said, we are the

5 Bureau of Ocean Energy Management, so we are a federal

agency. We are not an oil company. We are within the

Department of the Interior, and we're here to talk about

this document that we prepared. And we are also here to

get your comments on that document.

10 So what does our agency do? Well, our primary 11 responsibility is managing energy and mineral resources on

the Outer Continental Shelf. That's basically the seabed

from three miles to 200 miles out in federal waters. And

we do so in an environmentally and economically

responsible way.

16 And there is a variety of different activities

we do. We manage a five-year leasing program. We oversee

exploration and production plans, so we review any plans

that companies submit to us asking us for our permission

to do something. We do environmental reviews. We do a

21 lot of studies out here in the Chukchi Sea, and we

22 evaluate resources.

23 So I spoke about a few things that the Bureau

24 does. And there is actually an order in which these

25 things happen. They don't all happen at once. There is a

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1 multistep process that unfolds over time. It starts with

- 2 developing a five-year program where the Bureau looks at
- 3 parts of the ocean all over the country, and it identifies
- 4 areas that might be suitable for leasing.
- 5 Then it plans for individual lease sales. We
- 6 might say, okay, well, it might be a good idea to have a
- 7 lease sale here. Let's do some more review in that area
- 8 and see if that's a good idea. If leases are sold, then
- 9 the company that buys a lease has a right to submit a
- 10 plan. They can propose doing certain activities,
- 11 drilling, et cetera, and we would review that plan on a
- 12 plan-by-plan basis. If we give an approval and if they
- 13 find what they are looking for, then they can submit the
- 14 development and production plan where they say, okay, we
- 15 want to develop this area and produce the oil or natural
- **16** gas that we find there. But it's important to remember
- 17 that it's a very -- it's a multistep process that happens
- **18** over time.
- Now, in this case we are at the second step in
- 20 the process, the individual lease sale stage. We are
- 21 looking at one particular lease sale. That particular
- 22 lease sale is Lease Sale 193. You may have heard that
- 23 term before. This -- back in 2007 is when the agency
- 24 started looking at the Chukchi Sea once again, and we did
- 25 an environmental review to help decide whether to have a

- 1 said, well, if that first billion barrel development
- 2 happens, then more could happen, but they didn't analyze
- 3 the extra that could happen. The Court said, no, you
- 4 can't do that. You have to analyze everything that might
- 5 happen or that could happen as a result of this lease
- 6 sale.
- 7 And so they instructed us to do more analysis,
- 8 analyze a bigger scenario, basically. And that
- 9 scenario -- we will talk about the scenario -- is 4.3
- 10 billion barrels. So it's a much bigger scenario. And by
- 11 "scenario," by the way, I just mean holding a lease
- L2 doesn't give the company the right to go out and do
- 13 something. They have to submit plans. Just the lease
- 14 sale process is very early in the process. But to
- 15 understand what kinds of environmental effects may occur,
- 16 we have to give some sort of projection or estimate of the
- **17** activities that might unfold all the time. And it's
- 18 fairly hypothetical. It's far into the future. But we
- 19 need that scenario of activities so that our environmental
- 20 analysts have something to look at so they could all look
- 21 at the same thing and start to estimate the impacts.
- So when we began doing this document, we
- 23 realized, well, let's get some help from other agencies
- 24 and other governmental entities with expertise in that
- 25 area. We want to make sure we do a good job on this. So

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- 1 lease sale. And the agency did hold a lease sale in 2008,
- 2 and it sold many leases in the Chukchi Sea.
- 3 Later there was some litigation, and the
- 4 District Court here in Alaska found that something in the
- 5 environmental analysis we did was wrong, and so they told
- ${\bf 6}\;$ us to go back and fix it. We did. We created a
- 7 Supplemental Environmental Impact Statement. And you may
- 8 recall some of us being here a few years ago in 2010 and
- 9 2011. And that's what we were here to discuss back then
- 10 was that document. The District Court found that, yes, we
- 11 did our job, we fixed that mistake, and we went forward.
- However, in that litigation, it was appealed to
- 13 the Ninth Circuit Court of Appeals, the higher level of
- 14 court. And they appealed two issues. And the Court said
- 15 that on one of the issues, no, that the agency did fine,
- 16 that's not a problem. On the other issue, the Court found
- 17 that there was a deficiency with that 2007 document, the
- 18 old EIS, the first EIS we did in this process.
- And this occurred in January of this year is
- 20 when the Court found that deficiency. More specifically
- 21 what the Court said was that the exploration and
- 22 development scenario of one billion barrels, that
- 23 basically the agency had to go back and analyze more. We
- 24 had to do more analysis because what the agency did was
- 25 analyze just the one-billion-barrel scenario, but they

- 1 there are many cooperating agencies that helped us prepare
- 2 this draft document. They include the Bureau of Safety
- 3 and Environmental Enforcement, which is the agency that
- 4 does the inspections and enforcement on any drilling
- 5 activities that take place; the Bureau of Land Management,
- 6 State of Alaska, and also the North Slope Borough and the
- 7 Northwest Arctic Borough. They all helped us produce this
- 8 document. We have had teleconferences and they reviewed
- 9 our drafts. There are also several participating
- 10 agencies: EPA, Fish & Wildlife Service, NMFS and the
- 11 Coast Guard, et cetera.
- So this environmental analysis, it's a NEPA
- 13 analysis, the National Environmental Policy Act. And
- 14 under that law it requires agencies like ours to not only
- 15 explain the potential impacts of the activities, but to
- 16 present alternatives. So we have four alternatives in
- 17 this document. Basically the decision that the Secretary
- 18 is going to have to make is whether to affirm the lease
- 19 sale, basically say, yes, holding those -- that lease sale
- 20 in 2008 was a good idea and we want to keep all those
- 21 leases, or the Secretary could choose the No-Action22 Alternative, which is saying we don't like that decision
- 23 to hold the leases. We don't want to have them going
- Or there is also this Alternative 3, which would

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24 forward.

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- 1 give a wider corridor away from the coast because we
- 2 understand that the areas near the coast are very
- 3 important for marine mammal migration, for subsistence
- 4 activities. And so one of the alternatives would mean a
- 5 larger corridor away from the coast. And just for
- 6 context, the leases that exist right now are roughly,
- 7 would you say, 50 miles or more from shore. This is them
- 8 depicted on a map here. I don't know how well you can
- **9** make out these little squares, but these little squares
- 10 are leases that were leased through sale 193. And of
- 11 course, Wainwright is right here [indicating].
- What's really important to understand here is
- 13 that no new areas would be offered through this process.
- 14 There won't be any new leases issued through this. We are
- 15 not looking at other areas to lease. The highest amount
- 16 of leases that could occur from any of this is just what's
- 17 already under lease. It would be forming existing leases.
- **18** It wouldn't be leasing anything new.
- 19 And at this point -- I talked briefly before
- 20 about the scenario, the hypothetical set of activities to
- 21 be analyzed. And that's where my colleague Betty Lau was
- 22 the primary author on the scenarios, so she can fill you
- 23 in on how we developed that.
- 24 MS. BETTY LAU: Okay. As Mike told you,
- 25 the Court said that they didn't like the way we did our

- 1 some of the leases start to expire, because they are
- 2 leased for ten years normally. Now that they have had
- 3 court cases and the operators could not use their leases,
- 4 they have been -- those leases have been extended because
- 5 of the litigation. But the original leases were written
- 6 for ten years. And if the operators do not go out and
- 7 drill wells in those leases, they begin to expire. So
- 8 there are a limited number of those leases you could
- 9 possibly drill on within that ten-year period.
- So what we came up with for Lease Sale 193, plus
- 1 any additional lease sales that might happen because we
- 12 are proposing if there were a successful project as a
- 13 result of 193, then you might have another lease sale,
- 14 more leases might be bought then. And so we came up with
- 15 a total cumulative for Lease Sale 193 and later lease
- 16 sales of 6.4 billion barrels.
- And of those 6.4 billion barrels, we are
 - 8 thinking that we would have one big what we call an anchor
- 19 field, one big field that would be really the money maker.
- 20 And if you had one big one, you might be able to have one
- 21 smaller one, as well. And the total of those two combined
- 22 would be 4.3 billion barrels, which is quite a lot more
- 23 than the one billion barrels we had originally come up
- **24** with.
- **DR. JIM KENDALL:** Betty, could you explain

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- 1 original analysis for the one billion barrels. So with my
- 2 colleagues, we went back to the very beginning and we
- 3 looked at everything again and did a whole new analysis.
- 4 And this triangle tells you something about the way we
- 5 think about how much oil could be produced as a result of
- ${f 6}$ a single lease sale. So we start with all the possible
- 7 prospects that could be out there in all of the Chukchi
- 8 Sea. So we are talking about everything that's in the
- 9 Chukchi Sea planning area at the top here.
- Then we think about how much of that oil do we
- 11 have the knowledge to bring out of the ground and produce
- 12 of all those. So that's where we get this 15.4 billion
- 13 barrels that we could technically produce with the
- 14 knowledge that we have right now. Then we have to think
- 15 about economics because oil companies are in business to
- 16 make money. So of those 15.4 billion barrels, how many of
- 17 those could you produce and still make money if oil
- 18 were -- and the price we used was \$110 a barrel. Of
- 19 course, we know it's -- the price has gone down from
- 20 there, but it takes time to do these analyses, so we chose
- 21 that. And that takes us down to 11.5 billion barrels.
- But we are not talking about all of the Chukchi
- 23 Sea as a result of Lease Sale 193. We know the area that
- 24 was leased. So it's a small set of what was leased. And
- 25 then we have to think about what could you produce before

- 1 that because this analysis is taking place after the lease
- 2 sale, that we have a better idea where they would drill,
- 3 and now we can more focus on what we actually think is
- 4 there, that four billion barrels?
 - MS. BETTY LAU: As Mike said, in the
- 6 original analysis it was a minimum economic field size of
- 7 one billion, plus something more if that were successful.
- 8 And what we did is analyze what that something more could
- **9** be. So that's why we have a bigger number this time.
- Okay. So we -- the scenario -- I had the 4.3
- 11 billion barrels, and with the other people I work with,
- 12 geologists and engineers and economists, we came up with
- 13 this idea that you could have an anchor field that had 2.9
- 14 billion barrels, and then your smaller satellite fields
- 15 that then could be developed for another 1.4 billion
- **16** barrels. Associated with those fields is 2.2 trillion
- 17 cubic feet of natural gas.
- Now, this is much bigger than what we have done
- 19 before. Our assumption is, you know, when you start
- 20 producing oil, what comes out of the ground is oil and gas
- 21 and water all together. Our assumption is that this would
- 22 be produced the way they are producing Prudhoe right now,
- 23 producing the oil and gas and water, but putting the gas24 and water back in the ground for now to be produced later.
- Right now we don't have a big pipeline where we

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- 1 could get that gas to market. We do have TAPS, and we are
- 2 assuming that the oil -- there would be a pipeline built
- 3 from the offshore platforms to shore and then to TAPS to
- 4 plug into that. And we are assuming that a big natural
- 5 gas pipeline is in by the time we get all the oil produced
- 6 and we are ready to start bringing the gas back up for
- 7 sale. So then we are assuming a similar development where
- 8 you bring the gas up. We have another gas pipeline to
- 9 shore, another gas pipeline to Prudhoe, and then it would
- 10 go down that big gas pipeline.
- So the whole scenario takes 77 years to
- 12 complete. That's from your first seismic to your
- 13 exploration wells, waiting for that successful well, and
- 14 then making sure that your field is big enough that it
- 15 would be worth your time to produce, and then getting in
- 16 the infrastructure, the pipelines, the platforms, the
- 17 wells that you would need, producing it and then
- 18 decommissioning it -- decommissioning it and cleaning up
- 19 when the oil is gone, then taking things out, plugging
- 20 those wells with cement. So all of that -- all of those
- 21 activities happen in those 77 years.
- That's it for me.
- MR. MIKE ROUTHIER: Okay. So now that
- **24** Betty's group has created this hypothetical set of
- 25 activities, we then turn over those activities to our

- 1 about that. So we did include that analysis in this
- 2 document, as well.
- 3 Another thing the document looks at is
- 4 cumulative impacts. In other words, while we know that
- 5 it's not just oil and gas activities that have the
- 6 potential to affect the environment here, it's a lot of
- 7 other things, as well. Talking about climate change or
- 8 vessel traffic, tourism, recreation, military activities,
- 9 mining projects, any other activities that could affect
- 10 the environment in the Chukchi Sea and on the North Slope
- 11 we consider.
- And finally, I'd just like to talk about next
- 13 steps in this process. So we have released this draft
- 14 document. Okay. That triggered a comment period. We are
- 15 in that comment period right now. There is a little over
- 16 a month left in that comment period. That closes December
- 17 22nd. Once the comment period closes, we are going to
- 18 review all the comments that we have gotten during the
- 19 comment period, and we are going to start revising the
- 20 document based on those comments. And we will start
- 21 responding to those comments in writing, and we will
- 22 compile all that information and eventually release a
- 23 final document, a Final Supplemental Environmental Impact
- 24 Statement. We expect to release that final document in
- **25** February of 2015.

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- 1 biologists, our oceanographers, our social scientists and
- 2 ask them, if these activities happen, what kind of effects
- 3 would occur, what kind of environmental impacts would
- 4 happen if all these oil and gas activities would occur.
- 5 So in doing this effects analysis, we considered a lot of
- 6 new information, including information from the studies
- 7 that our studies program conducts.
- 8 We look at what about these activities had the
- 9 potential to cause impacts, and then we look at how those
- 10 impacts would unfold over the 77 years of this scenario.
- 11 It's not only a very large scenario, but it's a very long
- 12 scenario, and we just track those impacts over time.
- We also look at the risk of oil spills
- 14 occurring. We look at where spilled oil would go if
- 15 something like that did happen. And as far as oil spills
- 16 are concerned, we looked at a potential for small spills,
- 17 large spills, and then we had a hypothetical very large
- 18 spill analysis. And that was something in the previous
- **19** document. That's something that the agency did after
- 20 Deepwater Horizon happened where we said, okay, this is
- 21 very, very unlikely, but it is possible, so we should at
- 22 least let the decisionmaker know about what the effects
- 23 would be here in the Chukchi Sea and on the North Slope if
- 24 something like that happened. It's important information.25 And before affirming the leases, the Secretary should know

- 1 As soon as 30 days after we release that final
 - 2 document, the Secretary of the Interior can make her
 - 3 decision about whether to affirm, modify or vacate leases
 - 4 sold in Lease Sale 193. So she will make her decision
 - 5 about whether to have these leases out in the Chukchi Sea.
 - 6 As far as submitting your comments, as Jim
 - 7 mentioned, our court reporter is here and she will be8 producing a transcript of everything that's said at this
 - 9 meeting. So you can give your comments here tonight
- 10 verbally. Tell us what you think about the document.
- 10 verbany. Ten us what you think about the documen
- 11 Tell us what you think in general about oil and gas 12 activities in the Chukchi Sea. Or if either you don't
- 13 wish to speak tonight or whether you want to review the
- 14 document before making comments or something occurs to you
- 15 later that you think is important you want to share with
- L6 us, you can submit your comments on-line. And the
- 17 government maintains a website called regulations.gov, and
- 18 you can go there and type in your comments. You can also
- 19 look and see what comments other people have left. And
- 20 once your comments are in there, we will post them and
- 21 people will be able to see your comments.
- We have listed the website here, but also we
- 23 have a handout that describes in more detail how to go
- 24 about using regulations.gov. And they give you the
- 25 website, show you what it looks like. It will show you

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1	where to click and where to put your comments.	1	know it was recorded as as we stated.
2	That concludes the presentation.	2	DR. JIM KENDALL: And Mike was there
3	DR. JIM KENDALL: And with that, since we	3	taking notes, and he's going to get the page right there
4	have not too big a crowd, what I'm going to propose we do,	4	
5	we take a five-minute break. Everybody can get some	5	MR. MICHAEL HALLER: Okay. And
6	refreshments. Then we will put the chairs in a circle so	6	Mr. President, you are welcome to correct me anywhere
7	everybody can see everybody else so we will have a talking		along the line, please. Okay. So these are summary notes
	circle and say who wants to contribute to help us make		
	this document better.		We explained we took the time to explain exactly in
10	MR. ROSSMAN PEETOOK: Good idea.		kind of a different slightly different way what we
11	(A break was taken.)		presented tonight, a mini version, if you will. We walked
12	DR. JIM KENDALL: I think we got a good		the President and his council, Terry and others, through
13	time to start. As I said at the beginning, this is a		that; Edward, who was there; Terry and Edward and Sonya.
	genuine process. Everything you say we take seriously.		And we talked about increased regulations and permits,
	We get it recorded. We study it and we make sure that		talked about the increase of shipping and need for
	it's correct, and we put it on the Web so other people can		monitoring. And there was mention of reports reporting
	see what you are saying, so they may have an aha moment,		to the tribes of who is traveling up and down through the
	like, oh, my goodness, Rossman said this. I think I can		Bering Straits and through the area and sort of all phases
	add to that.		of that, whether it's commercial shipping; it might be
20	So with that, how about, Rossman, could we start		military shipping, industry and so forth.
21	with you? Is there anything you would like to add or	21	
	comment on?	22	the rivers and streams that feed into the straits. We
23	MR. ROSSMAN PEETOOK: Our leaders are	23	also talked about the need for cleanup capacity associated
24	gone. They are at a meeting.		with industry activities. We discussed the 77-year life
25			cycle that was referred to tonight in the presentation,
	Page 19		Page 21
1	Anchorage for meetings, the Alaska Municipal League.	1	explored that. We talked about the need to work closely
2			between the tribe, the community, the Bureau of Ocean
3	•		Energy Management and all the various government agencies,
	hearing.		federal and state and region; the Borough, as well.
5		5	
	stay here as long as we will stay here as long as we	6	
	need to. We are not in a hurry. So we just want to go		that could occur during any phase of exploration or
	around the room many times to make sure anything you think	8	
	about so would anyone want to start on how do we do	9	
	this better? You know, anything can be said. We are	10	
	here This is your meeting		phases of exploration and production. And we emphasized

11 here. This is your meeting.

12 MR. HOWARD PATKOTAK: Howard Patkotak, for

13 the record. I'm with the Wainwright Traditional Council. 14 It's actually called Native Village of Wainwright. I gave

my comments this afternoon at our tribal office this

afternoon. I just want to hear what you have recorded on

our side. That way I can pick up what we want from the

tribal side. I'd like a playback of what we did this

19 afternoon.

20 **DR. JIM KENDALL:** Mike has the notes. He 21 took notes.

22 MR. HOWARD PATKOTAK: For the record,

23 Terry Tagarook and I met with BOEM, and also one of our

24 tribal council members on that teleconference. I just

25 want to hear what I actually said, what Terry said so I

11 phases of exploration and production. And we emphasized

12 that this plan, this draft plan that is being discussed

13 tonight and earlier this afternoon is, in fact, just an

14 exploration plan. It's a draft of an exploration plan.

And discussed the four alternatives that were on the slide

16 with you, Michael.

17 And then we highlighted a couple of upcoming activities that we, the Bureau of Ocean Energy Management

19 for the Alaska Region, will be involved with, meaning that

not only will we be back in the village to visit with you

some more about these 193 activities, but we are also

22 going to be back up here to talk to you about the

23 five-year -- coming five-year program as early as this

24 January and also the Arctic standards which we, the

25 Bureau, do not have an actual date lined up yet in terms

Page 22 Page 24 1 of telling you when that might be, but we know it's coming 1 development? 2 soon. We believe it is. DR. JIM KENDALL: Okay. The development And then we excused ourselves for a few moments, would be many years away if an exploratory well is 4 and we had the opportunity to take a view of your 4 successful. In our possession now is an exploration plan 5 subsistence hunting and fishing maps to get an idea of from Shell where they are proposing to have two rigs 6 their locations and a little bit of familiarity with them either in 2015 or maybe 2016, maybe. But we cannot 7 so we can see -- thinking about our map here and thinking officially approve that plan until we get this exercise 8 about the map that you use pretty much every day that you done. But on the horizon from what we have in-house, 9 are familiar with in your lives, we became more familiar there is only two rigs that we could anticipate in the with that. And we expressed our appreciation for that. next one to two years. If they were to find anything and 11 We talked about air quality briefly, that 11 if they decided to move forward, they would have to figure 12 perhaps 40 miles is even too close for operations relative out how they are going to develop it. They haven't given 13 to position of the community to where some of the work that to us yet. So they are going to have to figure that 14 may, in fact, be going on. A greater distance would be out. And it could be another two, three, or four years 15 better if there was a preference. And that we should pay before they give us that. attention to the currents, again with reference to hunting 16 And then -- and then if that gets approved, they 17 and fishing and just general activities throughout the 17 have to figure out all the agencies they have to work with 18 to get a pipeline across the Slope to TAPS. So area. 19 And that was the highlights that I got. development is probably no closer than -- Betty, I'm going 20 DR. JIM KENDALL: And we did mention -to guess five years at the earliest. 21 you shared with us your concern about the Russian stuff 21 MS. BETTY LAU: Oh, yes. That would be 22 going over there could end up on your doorstep and talked 22 very early on. 23 about how a lot of the other Arctic countries are worried DR. JIM KENDALL: And then actual 24 about that, as well, that we don't -- if it happens, we'd 24 production could be ten years away. Is that a good 25 better do it right because some other group may do it 25 guesstimate? Page 23 Page 25 1 wrong. And also mentioned that -- you didn't quite use 1 MS. BETTY LAU: Yes. 2 the term. You kind of referred to revenue sharing, that **DR. JIM KENDALL:** This is the very 3 the community somehow should get some type of compensation 3 beginning of the process. And one thing we have to remind 4 for that. It's not in our power, but we need to take that folks is that when a company gets a lease, it doesn't 5 message back. 5 entitle them to do anything except turn in an exploration 6 And one more thing. With the change in plan for us to consider and maybe approve it if it's by 7 administration, you were saying that you would welcome the law. And then even if we approve it, our sister 8 some of the Washington, D.C. bigwigs to come up here and agency, the Bureau of Safety and Environmental 9 talk with you and see for themselves what's going on. Did Enforcement, they have to be submitted from the company an 10 I get that right? application to permit to drill, and that agency goes 11 MR. HOWARD PATKOTAK: Yeah. We want the through all the engineering specifications to see if what 12 top leaders to come down to Wainwright to -- they can see they are actually proposing to do, if that piece of ground who we are and how we live and get our input, rather than 13 is technically safe. reading it from some newspaper or report. So it's a long process, and it was intended that 15 DR. JIM KENDALL: It's written down, and 15 way so decisions are not made too quick, that there is we will see what we can do. Be careful what you wish for. plenty of time for discussion like this to get new 17 MR. MICHAEL HALLER: Was there anything science, to borrow your traditional knowledge to see if it else you wanted to add to that, Howard? 18 helps us make a better decision. 19 MR. HOWARD PATKOTAK: I'll keep thinking. It's like when Mike said that there was an area 20 **DR. JIM KENDALL:** Who else wants to share? 20 there that was 25 miles out where there is no leases,

21

23

25

24 years?

MR. ROSSMAN PEETOOK: Within five years'

DR. JIM KENDALL: How many rigs in five

MR. ROSSMAN PEETOOK: Yes. How many

22 time, how many oil rigs are going to be out there?

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well, that was based not only on the science we did, but

communities that alerted us that in that corridor that's

24 where the bowhead whales migrate, that's where they have

22 also on the traditional knowledge from the coastal

25 their young, and that's where they feed. And so the

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1	Secretary said it doesn't make sense to have any leases	1 Co	rporation.
2	there. So that was off limits.	2	OC is a for-profit corporation created under the
3	That's how we use traditional knowledge. It's a	3 Al	aska Native Claims Settlement Act, ANCSA, with the
4	good check to make sure if we did the science right.	4 pu	rpose of providing economic benefits to our
5	MR. MICHAEL HALLER: There is a good map	5 sha	areholders. OC has 501 shareholders, most of whom

6 of an example of that right over there [indicating]. **DR. JIM KENDALL:** Questions, comments?

8 Please help us make this a better document. And again, if

9 you want to spend time looking at it, you can put more

10 comments to us at that website. And it goes back up on

11 the website so all your colleagues and fellow villagers

and hunters can see it and maybe add to it. We want to be

as transparent as possible. Nothing to hide.

14 MR. ROSSMAN PEETOOK: Are they going to

15 finish the 487 leases within five years' time?

16 **DR. JIM KENDALL:** That's a good question.

17 Right now they are all in suspension. When the

18 Secretary -- or when the Court said that we needed to

revise this document, all those leases were given a

20 suspension of production, which means the clock stopped.

21 MS. SHARON WARREN: Suspension of

22 operations.

DR. JIM KENDALL: Suspension of

24 operations. Excuse me. Suspension of operations. So the

25 clock is not running. It adds that many months or a year

reside here in Wainwright. OC is a member of Arctic

Inupiat Offshore, AIO, which has made an investment in the

leases that were sold under Lease Sale 193 and, therefore,

we have a strong interest in the draft SEIS.

10 One thing the federal government did not do when

11 it sold leases in Lease Sale 193 was to deliver revenue

sharing to the communities closest to exploration through

federal impact funds. The results were that the coastal

communities of the Chukchi Sea would assume the risk of

changes to our oceans and sustenance through drilling, but

we would not receive any of the benefits. The situation

created frustration and strong opposition to the OCS in

our community. It created division within our culture in

a place where we have to be good neighbors. We were

frustrated that the federal government went forward

despite our concerns. Really what we were provided was a

public process that asked for our input after the fact.

23 The rifts in our communities created an

24 opportunity for outside interests to prevail and to try to

25 speak for us, represent us and use us. There have been

Page 27

1 many lawsuits filed, and this draft SEIS is a result of

such legal action.

In Wainwright, we have decided to be proactive

and have tried to plan for the exploration in our

offshore. Every time there is a lawsuit it creates delay

that has negative economic effects on our corporation. We

decided to take things in our own hands, and OC joined

along with five other village corporations and our

regional corporation, Arctic Slope Regional, to form

Arctic Inupiat Offshore, AIO. We felt we needed to do

this because if OCS was going to happen, then we needed to

find a way to get some real benefit and not just all the

risk. We did something that we never contemplated before.

14 We bought an interest in the leases that Shell owns.

15 So despite the fact that we took to the federal

government -- we looked to the federal government to take

into consideration our needs, we took it upon ourselves to

engage, and now we have a seat at the table and have the

ability to help guide Shell in its operations and to make

them safer for our communities and environment. This is

very important, and it's important to our shareholders and

22 residents to understand. We have the ability to influence

their program. And if they are successful, then we will

24 also get the reward and be able to pass that on to our

25 shareholders through dividends. We need to be actively

3 good faith effort to explore and develop those leases.

2 expire. The only way they can continue is if there is a

1 or so to the leases. But they do expire, and they can

4 But as many of you know, all of those leases are the

5 result of the lease sale in 2008, you know, the leases way 6 before that time where they actually did some drilling --

7 how many wells were drilled in the Chukchi?

MS. SHARON WARREN: Five. 8 **DR. JIM KENDALL:** There were five wells

10 drilled in the Chukchi 20 years ago. All those leases

11 expired and they are gone. This is the next batch. And

12 if nothing -- if the companies do not demonstrate due

13 diligence and get out there and be successful or give it a

14 development plan, they, too, can expire. They do not own

those leases forever. And then as Mike said, if things

were to progress and there is decommissioning, what that

17 means is they have to leave the ocean floor exactly the way they found it. 18

19 MR. JOSEPH AHMAOGAK: Joseph Ahmoagak. I

20 have a statement. Good evening. Thank you for the

21 opportunity to provide comments on the Draft Second

22 Supplemental of the Lease Sale 193 Environmental Impact

23 Statement. My name is Joseph Ahmoagak. I am a director 24 of the Arctic Inupiat Offshore, known as AIO. I am also

25 the Chairman of the Board of Directors for Olgoonik

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25 to write.

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1	engaged.
2	My comments on the Draft Second Supplemental for
3	Lease Sale 193 EIS will be short. First, we have not been
4	afforded the time to thoroughly review the draft document.
5	We understand that the scope of the draft SEIS is very
6	narrow as defined by the Ninth Circuit Court of Appeals in
7	its remand. Thank you to the Bureau of Ocean Energy
8	Management, BOEM, for releasing the draft SEIS in a timely
9	manner. Arctic Inupiat Offshore, AIO, will be providing
10	more extensive written comments on the draft SEIS prior to
11	the end of the public comment period, which ends December
12	22nd of this year. We do ask, though, that BOEM maintain
13	its schedule and not let it slip so that we can have a
14	timely Record of Decision issued and hopefully close this
15	matter about Lease Sale 193 once and for all.
16	Thank you for your time and attention.
17	Additional more detailed comments will be forthcoming.
18	DR. JIM KENDALL: Thank you, sir.
19	MR. MICHAEL HALLER: Thank you. May we
20	have your comments?
21	MR. JOSEPH AHMAOGAK: Yes.
22	DR. JIM KENDALL: That will make sure that
23	our notes are correct or accurate.
24	MR. ROSSMAN PEETOOK: I didn't have time

Page 32 1 till December 22nd. Take your time and look at it. Get 2 us your comments. As you understand and pointed out, for 3 us to keep to the schedule that the Court said, we have to 4 run it this way, but we wanted to make sure you saw that 5 there is real people working on it. The people that are with me are working around the clock, you know, and they 7 are turning over every stone to get information. They are 8 talking with everybody they can. Our colleagues with BLM, 9 the Northwest Arctic Borough has given us some input. The 10 North Slope Borough has given us input. Then the 11 participating agencies, EPA, Fish & Wildlife Service. 12 How often do you talk with National Marine 13 Fisheries Service and Fish & Wildlife? MS. FRANCES MANN: Every week these 14 **15** days. 16 DR. JIM KENDALL: Every week. The North 17 Slope Borough calls in, Northwest Arctic Borough. 18 Everybody's logo is going to go on this, so it has to be a 19 good document. So we want to make sure it's a good document so that when we set it down in front of the 21 Secretary of the Interior, the decisionmaker, we can look 22 her in the eye and say, it's a big document, but we

23 covered everything we could get our hands on. Of course,

24 nothing is ever perfect, but we are going to try to get as

25 close as we can to perfect. We don't want to be

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DR. JIM KENDALL: But you speak very well,
 2 and she's a good recorder. Those are very good comments.
 3 Thank you, sir. We take that to heart. Who else wants to
 4 share with us? We need help. We want help. Anything we
 5 can do better?
 6
             MR. ROSSMAN PEETOOK: Are they going to
   work year-round if they start developing?
             DR. JIM KENDALL: The exploration plan we
 9 have in now that if -- if we -- we will get this -- we
10 will get this done on time. If Shell chooses to drill
11 according to their exploration plan, it's only during the
12 open water season, not in the winter. Now, of course, in
13 the future if there was production, that would -- that
14 would be year-round, but that's after the wells are
   drilled and all the pipeline and stuff is laid. But that
16 could be years in the future. But for now, it's open
17
   water only.
         No one has to be shy here. We understand it's a
18
19 big document, so as you pointed out, you just got it not
20
   too long ago.
21
             MR. JOSEPH AHMAOGAK: We just got it the
22 other day in the mail. I just got a hard copy along with
   the CDs just in the mail the other day. I just opened it
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DR. JIM KENDALL: You have, like you said,

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1 embarrassed, and we don't want to embarrass you.
             MR. ROSSMAN PEETOOK: We are lucky today
   because I never see heavy ice anymore from -- from
 4 the '70s. We don't have any solid ice due to global
   warming.
             DR. JIM KENDALL: And that's covered in
   the document. That's correct.
             MR. ROSSMAN PEETOOK: Global warming
   starts in the '70s. We know that. I know that.
             DR. JIM KENDALL: So you knew it before
10
11
   all the scientists did.
             MR. ROSSMAN PEETOOK: And today I never
   see heavy ice out there anymore. No solid heavy ice. But
14 the ice start building up. It start piling up together,
   and finally we can -- we can find a place to pull the
   whale up where the piles start. It's hard to find that
   heavy solid ice in order to pull the whale. So I don't
   know about five more years. Maybe there will be no ice
19 out there. Who knows. But the global warming is over.
   We know that. I know that forty-three years later.
21
             DR. JIM KENDALL: That's -- as you were
22 speaking today, Howard, that in October it's usually
   frozen. In November it's not this time.
             MR. HOWARD PATKOTAK: It starts freezing
25 up in October when I was growing up.
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24 up.

25

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1	MR. JOSEPH AHMAOGAK: Yeah. This weather	1	2-, 300 miles away [Speaking in Inupiat.] every year they
2	right now today, it's just crazy. I mean, we are 30	2	travel through the Bering Strait past Little Diomede
3	above, and New York has got six feet of snow, right?	3	Island all the way to the Russian coast, 2-, 300 tankers,
4	DR. JIM KENDALL: They stole it from us.	4	2-, 300 miles out [Speaking in Inupiat.] from all
5	MR. JOSEPH AHMAOGAK: Yes. It was raining	5	different countries, China, Russia, might be Thailand
6	last week. I'm sure you guys probably saw the rain coming	6	[Speaking in Inupiat.]. I see what was the coal?
7	up from Kotzebue and Point Hope. So I thank you all very	7	[Speaking in Inupiat.] Their trash, I don't want that. I
8	much for the time to comment, but I've got to go back to	8	want them I want the federal government to pressure the
9	work. And we hope the weather works with you all to get	9	private companies, commercial companies, international
10	to all the other communities and get the input from them	10	companies that have shipping out there, make sure they
11	because I'm sure they will with this short notice on	11	have zero discharge policy. Get that written up. Enforce
12	the scheduling of public testimony for the communities,	12	the air and water pollution standards out there because
13	I'm sure, just like me, they didn't have much time to	13	they already they already traveling through the
14	prepare a statement for the SEIS.	14	ice-free area already. [Speaking in Inupiat.].
15	DR. JIM KENDALL: Please use the website.	15	This is what I want from the tribe's side is I
16	And thank you for acknowledging and telling us to keep on	16	want stringent anti-air pollution and water pollution
17	the schedule.	17	standards placed on those private companies, either here
18	MR. JOSEPH AHMAOGAK: Yeah. Thank you	18	in the United States domestically or the foreign
19	all.	19	companies. Make that known. You have a platform to do
20	DR. JIM KENDALL: Anyone else? Our circle	20	that. That's what I want from the tribe is more zero
21	is getting lonely.	21	discharge policy when they are looking for oil.
22	MR. HOWARD PATKOTAK: Before I leave	22	I don't want them dumping crap out in the ocean.
23	Howard Patkotak with the tribal council. [Speaking in	23	That's where we get our seals, our whales. Polar bears
24	Inupiat.] This area [indicating] is only about 40 miles	24	swim out there. We have walrus coming in at Point Lay.
25	from Wainwright. Any kind of comment that you want to put	25	They have nothing to land on and rest. Although one funny
	Page 35		Page 37
1	on the record you could. [Speaking in Inupiat.] When	1	thing we thought of when I was at OC board was why not
2	they are looking for oil, that's exploration. They want	2	some floating islands we could put out in front of
3	to hear your comment for the record. [Speaking in	3	Wainwright so the walrus can have a chance to rest up
4	Inupiat.] How you say they'll watch what the oil	4	instead of swimming all the way out and swimming all the
	companies are doing. [Speaking in Inupiat.] Only about	5	way back with no ice to rest on.
6	40 miles. What I want from the tribe's side is I know	6	That's what I want from Wainwright's side,

- 6 40 miles. What I want from the tribe's side is I know
- 7 it's one exploration, but I want zero discharge policy put
- 8 in place because we are right at ground zero with that
- 9 stuff happening out there, plus our little fish, our
- 10 whales, seals [Speaking in Inupiat.] in the water, I want
- 11 those protected. [Speaking in Inupiat.] From our tribal
- side, I want our rivers, our streams, our creeks protected
- 13 from that oil spill. [Speaking in Inupiat.] The
- 14 current --

15

- MR. FREDERICK KAGAK: So he's saying if
- 16 they have an oil spill out here, it's going to come
- 17 straight to our area out here.
- MR. HOWARD PATKOTAK: It will come 18
- 19 directly to our coastline if an oil spill actually
- happens. This is only if an oil spill happens. I'm not
- saying there is going to be one, but I'm just saying for
- 22 the record that I want the federal government to put in
- stipulations that we have zero discharge when they are
- 24 exploring out there.
- 25 Not only that, we have [Speaking in Inupiat.]

- That's what I want from Wainwright's side,
- community's side because I want my fish to be protected.
- 8 I want my seals, walrus, polar bear, whales. They have to
- go 30 miles, 35 miles north of us just from the coastline
- springtime and also fall whaling just to get whales,
- sometimes pretty near 40 miles. That's a long way.
- Whereas we used to just go 20 miles up the coast and only
- a mile or two, and then we would be ale to go whaling.
- 14 Now they have to leave the first year ice by boat and go
- actually out in the ocean and go looking for the whales.
- And out there they have pretty large swells when you go
- further out, and it's kind of dangerous for these small
- 18-foot aluminum boats that they use. Some even use
- 19 20-footers, but still you have large waves. You know,
- that's a big risk for our community members here.
- 21 I just went -- I didn't have a chance to give my
- 22 comments last time because I was not in the tribe, but now
- 23 that I'm in the tribe, I want my comments made.
- 25 accountable. Not only that, but all those shipping

Make sure you hold the oil companies

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1	companies.	1	around the Arctic Circle have similar concerns. So what	
2	Also another thing. What about the Coast Guard?	2	you are saying is gathering a lot of momentum. And we	
3	I was thinking search and rescue. Why not pressure the	3	will make sure that the people that I work with that work	
4	oil companies to donate to the village of Wainwright	4	with the Arctic Council hear what you said. Those are	
5	search and rescue? Local search and rescue, you know,	5	good wise words.	
6	they survive on small donations. A lot of times they	6	MR. HOWARD PATKOTAK: I don't want to make	
7	don't even have the money to fix their boats and	7	you feel unwelcome in Wainwright. We all know you are	
8	equipment. They are very dependent on handout from the	8	just workers, just like we have workers here. But you do	
9	Borough or small donations from the corporations or even	9	represent a platform where a community can get their voice	
10	from ASRC. I'd like to see because we have all heard	10	heard, and I'm glad I'm able to open my big mouth.	
11	the oil companies, you know, if they have a program that	11	DR. JIM KENDALL: We do not feel	
12	supposedly benefits the communities, whether they are with	12	unwelcome. We feel very welcome. What feels unwelcome is	
13	the schools, medical facilities, that sort of thing. I'd	13	when no one will speak to us. We feel very welcome.	
14	like to see that happen in Wainwright because we know they	14	MR. HOWARD PATKOTAK: I don't think I got	
15	are going out there. If they want that oil, contribute to	15	anything more.	
16	Wainwright.	16	MR. ROSSMAN PEETOOK: Turning the	
17	We have hardly any money in town, hardly any	17	operation, what about the oil rigs in danger by icebergs,	
18	jobs. It's bad. Not only that, our food, it's getting	18	heavy icebergs or the heavy winds?	
19	harder and harder to hunt on land and even on sea. It's	19	DR. JIM KENDALL: What would they do?	
20	ice free. It's rough, too. We take a big risk going out	20	MR. ROSSMAN PEETOOK: In case the heavy	
21	like that. I'd like to see the oil companies put up and	21	winds came in or heavy ice came in, if one of the rigs	
22	shut up, you know. It's not a handout. We sure need the	22	break off, are they able to tap it off right away	
23	money down in Wainwright. That's what I'm asking for. It	23	DR. JIM KENDALL: Yes. That's part of the	
24	won't come from out of thin air.	24	deal. Like last time	
25	If the oil companies want that oil and gas, make	25	MR. ROSSMAN PEETOOK: before it start	
	Page 39		Page 41	
1	sure Wainwright gets the benefit. We need the jobs. We	1	flowing?	
	need to keep our schools running, our clinics running, our	2		
-		-		

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3 homes heated. We need that. Otherwise we go back to the
4 Stone Age and start getting coal up the river or down the
5 coast. I don't want to go back to that life. Nobody in
6 his right mind would want to do that. But I still want to
7 hold the oil companies up to their standards. Make sure
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8 you up the standards because oil companies -- we all know

9 over the past decades, different countries, we hear they are really dirty. They pollute. They don't really care.

10 11 So this is our chance at Wainwright to make sure

12 our voice is heard. Make sure your comments are put on the record because they are going to look at that and make

their decision on how the oil companies are going to

behave out there. Don't be shy. Get in a chair and speak your piece.

17 DR. JIM KENDALL: Very well said. Very well said. Thank you. That's what we -- that's what we

need to hear. 20 MR. HOWARD PATKOTAK: I'll probably

remember some more, but I think I got most of it. 21 22 **DR. JIM KENDALL:** In your meeting in your

office we did discuss that next year in May the United 24 States becomes the chair of the Arctic Council. We are

25 working with some of those folks. And many of the tribes

3 Shell was drilling up here, they were not allowed to go

4 into the oil-bearing zone because part of the

5 responsibility was that they had to have a capping and

6 containment system that they had to make at the last

minute for the Gulf of Mexico for Deepwater Horizon.

Well, they had to have that made in advance before they

could get in the oil-bearing zone. They made it, and when

they tested it, ir didn't work. So we said huh-uh. You

could drill a little bit, but you can't get into the oil.

And so that's a caution there.

13

They also have to -- like in the Chukchi, have a 14 well cellar where the blowout preventer is beneath the

surface of the bottom so that if they had to leave in a

hurry, they turn it off, pull the pipe up and then the ice

can go over top. Now, my engineer is sitting over there.

Now, Betty, did I describe that correctly?

19 MS. BETTY LAU: You got it exactly right. 20 DR. JIM KENDALL: So those are the kinds

of things that we would make them do. And then our other

organization, the Bureau of Safety and Environmental

23 Enforcement, they are the cops. They fly in on

24 helicopters. They have uniforms. And if they don't do it

25 right, they either get fined or they close them down.

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Page 42	2
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- 1 MR. ROSSMAN PEETOOK: And they got the
- 2 technology to clean it up, too, don't they?
- **DR. JIM KENDALL:** They have some
- 4 technology, but the best way to clean up oil is not to
- 5 have it released. So we all know that cleaning up any oil
- 6 spill is going to be very difficult, and it's going to be
- 7 extremely difficult in the ice.
- So like last time, if they would have gotten
- 9 into the oil zone, if they were allowed to -- which they
- 10 were not -- we predicted, working with our friends at the
- 11 weather service, that ice was predicted to form on
- 12 November 1st in 2012. They told us it would take 38 days
- 13 to drill a relief well and clean up their mess. So we
- 14 say, okay, if it takes that long and you can't do it in
- 15 ice, and we say ice is going to be there November 1st, you
- 16 have to be out of the oil zone 38 days before that. You
- 17 know, we are not taking chances. That was the law. But
- 18 because they didn't have the capping and the containment
- **19** system ready, they weren't even allowed to do that.
- 20 So let's just say, Howard, that sometimes the
- 21 oil and gas companies are not as welcoming as you because
- 22 we don't work for the oil and gas companies. We have to
- 23 protect the environment and the communities and make sure
- 24 everyone gets treated fairly.
 - MR. HOWARD PATKOTAK: I know I mentioned

- 1 I'm not a scientist or an engineer. I'm an English
- 2 teacher. But when I read what you have written, what it
- 3 says to me is that the dispersants are still under
- 4 investigation because they are toxic and they are
- 5 biotoxic, meaning they will affect the food that is given
- 6 by the ocean.
- 7 And the kids are very concerned about this
- 8 because when we talk 77 years, we are talking not only
- 9 their futures, but their children's futures.
- The second thing they are very concerned about
- 11 is in section 4.6, what is called unavoidable adverse
- 12 effects. And this is on page 565. And I'll just quote
- 13 them and read them because they are so powerful the way
- **14** they have been written in the report. "Sociocultural
- 15 systems. Adverse effects to subsistence harvest patterns,
- 16 cultural perceptions of increased oil and gas activity,
- 17 and increased population infrastructure and revenue
- 18 associated with oil and gas development."
- And basically what my students say to me is that
- 20 means our lives are going to change forever. When we have
- 21 a 1,000-man camp at the DEW line, what will that mean to
- 22 us? Where will they hunt? Where will they come for fun,
- 23 and who will they date? They are concerned. These are
- 24 teenagers, but they are smart teenagers.
- The second thing is public health. "Population

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- 1 the if and when that new administration changes at the
- 2 presidential level. We just want to make sure that we
- 3 still have that open seat at the table with the community
- 4 because we all know that we are right -- we are right at
- 5 ground zero. Forty miles is nothing to Wainwright. That
- 6 is close, close as this chair right here.
- Feel free to comment. This is your -- this is
- 8 your community. If you care about your community, you
- 9 will speak up. You can ask questions [Speaking in
- 10 Inupiat.] because they have got the laws to use against
- 11 the oil companies [Speaking in Inupiat.] using their
- 12 power.

13

25

- MS. PAULETTE PONICK: My name is Paulette
- **14** Ponick, and I would like to make a comment because my
- 15 heart has been moved by what you have just said. I'm a
- 16 visitor in your community. I'm a guest. And I have been
- 17 given the responsibility of teaching the children. But
- 18 the children are teaching me where these leases are
- 19 concerned because they ask me questions. And two
- 20 questions they have asked me caused me to come here21 tonight.
- The first one was that they had heard in the
- 23 news that if there were to be a spill 40 miles offshore,
- 24 that oil dispersants would solve the problem. And they
- 25 look to me to tell them if this is true or not true. And

- 1 influx influencing communicable disease patterns,
- 2 increasing social stressors and tensions, and contributing
- 3 to possible increases in mental health substance abuse
- 4 issues."
- 5 My students have come to the oil presentations
- 6 here. They get a hot dog and they get a backpack, but
- 7 they want answers. And they are looking to the
- 8 traditional Elders here to give them the answers. And I
- 9 would love to see more educational materials like this
- 10 that I could take to the kids. I'll teach them how to
- 11 read it, but you have to give me the stuff for them to
- **12** read.
- DR. JIM KENDALL: How many of those would
- 14 you like?
- **MS. PAULETTE PONICK:** I'm quite serious
- 16 with you. You give me a set of 14, I will use them in my
- 17 classroom, and I will encourage my peers to take them.
- **DR. JIM KENDALL:** Write it down. And we
- 19 can add to that, is one thing we have been trying to do --
- 20 and we are open to this -- our science program, we don't
- 21 get all the science from all the other agencies all the
- 22 time. We also do our own. We have spent 450 million
- 23 dollars. We have some science folks -- and I used to run
- 24 the science program -- that would love to come up here,
- 25 and whenever you say, give a lecture on this is what some

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- 1 of our reports say. Beautiful PowerPoint presentations on
- 2 the science, how they use it, whether it's about whales or
- 3 physical oceanography or what we think we have learned
- 4 about traditional knowledge. Tell us if we are wrong.
- 5 We'd love to do that. We just don't want to be a burden
- 6 to the community and show up and say, what are you here
- 7 for. You tell us when you would like us to -- make sure
- 8 the boss agrees, and we will be happy to send people and
- 9 provide anything you would like.

10 MS. PAULETTE PONICK: Well, the community

- 11 needs to help us because, again, Shell is very much
- 12 interested in our school and they give us stuff, but they
- 13 don't give the kids answers, and they want to hear answers
- 14 from people they trust. How can they trust me? I'm an
- 15 outsider. They barely know me even, though I was here
- **16** eight years ago. But they listen with their hearts to
- 17 you. And so this is my plea is if we have materials, you
- 18 help introduce the outsiders to come in and speak to the
- 19 kids. They will listen. But they are very, very, very
- 20 concerned about the impacts on their lives. Thank you.
- 21 MR. HOWARD PATKOTAK: You make a good
- 22 point about our future generation. One thing I find all
- 23 over the place, not only Wainwright, but the rest of the
- 24 communities, you know, we don't get to hear from up and
- 25 coming future generations. Yes, they are small. Yes,

- 1 has a natural heating and cooling cycle. So we all -- we
- 2 will always have ice diminishing and then ice forming even
- 3 before we are long gone. But right now it's been imparted
- 4 to subsistence. We still use our traditional ways of
- 5 hunting, but it's a challenge. It's more of a risk on our
- 6 side every time we go out. Ice is thin. Ocean is
 - 7 rougher.
- 8 Like he described, whales, they have to look for
- 9 a natural area along the coast where they can get a whale
- 10 to try to find a way to bring that whale carcass up. Most
- 11 of the time it's first-year ice and when breakup time
- 12 happens usually right north of the village, whereas a long
- 13 time ago we used to have ice that's anywhere from, what,
- **14** 15 to --

15

MR. FREDERICK KAGAK: Just like ten years

- 16 ago -- just about ten years ago, from my remembrance, we
- 17 used to drill holes for the block and tackle all the way
- 18 down. Nowadays we drill holes and we reach the bottom of
- 19 the ice and water comes out just from ten years' timeline.
- 20 MR. HOWARD PATKOTAK: This stuff was
- 21 happening even before I was born. It was already doing22 that. Because every year is not the same, but over these
- 23 past ten years, the ice had really rapidly gotten thin.
- 24 It's a risky business for us to go hunting on the ocean or
- 25 out in our rivers.

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- 1 they are growing up. But at least some kind of
- 2 communication so they kind of get an idea of what's going
- 3 on. They have a sense of -- what's the word for a sense
- 4 of participation in what happens in the community?
- 5 MS. PAULETTE PONICK: Engagement, being6 part of it.
 - MR. HOWARD PATKOTAK: One of the things
- 8 that -- I've heard this over and over is why not invite
- **9** the younger generation when we have our public meetings.
- 10 Do it by e-mail. You have a principal up there at the
- 11 school, at the North Slope Borough School District, those
- 12 kind of things. Have them participate and become
- 13 contributing members of our community.
- When I was a small boy, I'd like to share a
- 15 little bit about that. I watched the changes like Rossman
- 16 described about what's been going on in Wainwright for the
- 17 past 30 years, 40 years. It has really changed. Our
- 18 ocean is not the same anymore. Ice is not as thick as
- 19 before. We don't have as many fish. Even our caribou
- 20 population is going down only because of its natural
- 21 cycle.
- But to hear climate change, I don't believe in
- 23 climate change from the studies way, way back even before
- 24 when we were -- even before we were born, these scientists
- 25 kept track of the earth age, and they found out that earth

- 1 MR. FREDERICK KAGAK: With the gas prices,
- **2** too.
- 3 MR. HOWARD PATKOTAK: So much thick,
- 4 whereas it used to be so much thicker than that in the
- 5 past. So it's definitely impacting our way of --
- 6 subsistence way of life.
 - MS. PAULETTE PONICK: I want to reassure
- 8 you that when I got the -- the invitation, I invited my
- 9 students. And not only did I invite them, I told them I
- 10 would give them lots and lots of extra credit to be here,
- 11 but they are shy. You know that. And the more we all 12 include them in this, the more you get to know them as
- 13 people, the easier the future will be here because they
- **14** are your young leaders coming up.
- MR. HOWARD PATKOTAK: We have to -- plus
- 16 as parents you got to communicate through your kids, talk
- 17 to your kids about what's happening. Don't just be saying
- 18 don't do this, don't do that. You tell them what's going
- 19 on. Don't try to tell them, I want you to think this way,
- 20 I want you to think this way. No. You need to tell them
- 21 what's going on. That way their minds are not so screwed
- 22 up. Right now our young people, I notice they're having
- 23 mental problems because they can't deal with what's going
- Well, even possible oil development. It's

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1	creating a	stress in	ı their	minds	Y_{011}	know	Western	

- 2 society wants us to work. Our Native lifestyle being
- 3 Natives. We have those two forces going against each
- 4 other. Should I go hunting or should I go to school?
- 5 That kind of stress is going on in their young people's
- 6 minds. It's -- it's hard to describe. But some of our
- 7 young people are in that situation.
- Me, I'm not in that situation because I respect
- 9 myself. I'm an Inupiat. I'm not any other race. I don't
- 10 have that problem where I'm fighting Western ideas with
- 11 Inupiat living because I recognize who I am. I am Howard
- 12 Patkotak, Inupiat. So I don't have a problem with mental
- 13 issues or this possible oil development because I know all
- 14 across the North Slope, all our villages depend on diesel
- 15 fuel, motor oil, snowmachines, outboards, trucks,
- gasoline. We all -- we all need those things up here.
- 17 Without it, you wouldn't have no lights. You wouldn't
- 18 have no school. You wouldn't have no chairs to sit on.
- 19 And possibly these guys would never be here talking with
- 20 us.
- 21 DR. JIM KENDALL: Well, let me throw an
- 22 idea on the table. And this may impact our schoolteacher
- 23 visiting. That we come up to a village like this and we
- 24 meet and have a government-to-government meeting and then
- 25 we have the open, you know, public forum. But in regards

- Fear is nothing but an emotion without any facts
- 2 behind it. It's just fear. It's being scared. That
- 3 doesn't help nobody make a decision. Nobody should make
- 4 their decision out of fear because you are so caught up in
- fear that you can't make the right direction -- right
- decision. So I would knock that fear out of my mind, out
- of my children's mind. That way they are clear on what
- kind of decisions to make. So I don't agree with people
- saying government got to do this. Government -- no way.
- That is my right. I'm going to protect that right. I'm
- going to speak up. I don't care if you shot me down. I'm
- 12 going to teach them myself.

13 DR. JIM KENDALL: Good.

14 MR. HOWARD PATKOTAK: I don't agree with

- 15 government or the school district teaching my kids this is
- what's going on. No. I'm going to be the one because
- 17 they trust me. They don't trust anybody else. That's how
- little kids are brought up. You all have -- you all have
- probably children. I don't believe you tell them, hey,
- you can go talk to this stranger so and so and you let
- them be. No. This is my job as a parent. I'm going to
- 22 tell them what's going on. I don't want government or
- 23 somebody telling my kids what to think, what's out there.
- 24 I'm going to be the one doing it. I'm not going to be
- 25 dependent on somebody when I can be independent. I am

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- 1 to your future leaders, how would it be received if, let's
- 2 say, we got here a little bit earlier and with a select
- 3 group of students we made this presentation to the group
- 4 of teachers -- or to the group of students and said think
- 5 about this while you are walking home from school and you
- 6 are having dinner, and then invite them to come to the
- 7 meeting after they have heard us speak at the school and
- 8 realize we are normal folks. Would that help? Would they
- 9 say, wait a minute, I met them, they are okay? And we say
- 10 we are going to have cookies there. And then --
- 11 MR. HOWARD PATKOTAK: That's where I
- 12 disagree. I don't want government to come down and teach 13 our young children. That's our job as parents. So I
- don't like someone coming and telling me what to do. We
- can do it ourselves. We can communicate that to our
- 16 children.

17

- DR. JIM KENDALL: Good.
- MR. HOWARD PATKOTAK: Not -- not tell them 18
- 19 you got to be -- you got to pose this because of that.
- 20 You got to teach them what's really happening out there.
- 21 That's the real truth. If they know the truth, they're
- 22 going to have a much easier time dealing with it. If they
- 23 don't know, it creates lots of question marks in their
- 24 heads, and pretty soon they are -- they are scared. They
- 25 have fear.

- 1 independent. That's how I was raised, thanks to my father 2 and mother.
- Plus I'm also a member of the community, and I'm
- glad I got the opportunity as a tribal member to speak for
- 5 Wainwright because Wainwright is dear to my heart. I love
- 6 the hunting. I love the people. There is no other place
- like Wainwright. Only Wainwright -- it's one unique
- place. That's why I have been here most of my life. I
- 9 came back after school to come work here and contribute
- 10 back to the community. And it's the way I'm giving it 11 back.
- 12 And if I can give my voice to further protect
- our community and make sure these guidelines are set in
- 14 place, that way when I'm gone, at least these guidelines
- will help steer oil companies on what not to do out there.
- 16 Make sure those oil companies do it right. Make sure we
- have a voice in what's going on out there and make sure
- you get those stipulations in that lease.
- I know the tribe missed their chance back in
- 20 2008, but we want to make sure those comments are put in
- 21 the record. We want no discharge in the oil exploration,
- 22 even development. I know you explained that there is different stages of development from oil exploration to --
- **DR. JIM KENDALL:** To development to
- 25 production to decommissioning.

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1	MR. HOWARD PATKOTAK: And each has its	1	were MMS, there was a concern and a perception that one
2	2 own	2	group of folks was telling another group of folks what to
3	DR. JIM KENDALL: Environmental studies	3	do, so they broke us apart. We are the landlord. We
4	and review and public input.	4	manage the land. BSEE, they are the cops. So after we
5	MR. HOWARD PATKOTAK: Yeah. Okay. That's	5	approve a lease and approve an exploration plan, when the
6	what I understand.	6	drilling rig comes up, BSEE takes over and says, this is
7	DR. JIM KENDALL: Right.	7	what you are allowed to do, this is what you are not
8	MR. HOWARD PATKOTAK: But for oil	8	allowed to do according to the lease and the exploration
9	exploration for now, our tribe wants no discharge on their	9	plan, and I'm going to stay with you and make sure you do
10	oil exploration during this five-year lease. Or you said	10	it.
11	ten years, right?	11	MR. HOWARD PATKOTAK: But for the
12	DR. JIM KENDALL: Well, the leases, they	12	meantime, I just want that on the record because that's
13	3 have at the very beginning ten years to do something, like	13	the view of our traditional council is we don't want that
14	to start the exploration. This is kind of different	14	stuff being dumped in the ocean.
15	because of what the courts and the litigation that has	15	DR. JIM KENDALL: Good.
16	stopped us off and on, it's kind of been extended because	16	MR. HOWARD PATKOTAK: You got that, right?
17	of the suspension of operations. But if they don't do	17	I think I've used up most of my comments.
18	anything, even with this extension, eventually the leases	18	DR. JIM KENDALL: But they are good
19	expire. But if they do something and they explore and	19	comments.
20	they decide to go on, then they have to give us a	20	MR. HOWARD PATKOTAK: Yeah, because we are

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MR. HOWARD PATKOTAK: Even with oil
 2 exploration we still have, you know, some garbage or waste
 3 oil dumped into the ocean while we don't see because we
 4 can't see them in our coastline out here. Even though
 5 they are 40 miles out, we know -- when they are not
 6 looking -- when nobody is looking, the oil companies will
 7 drop something into the ocean. I don't want that
 8 happening. That's why I said zero discharge policy.
             DR. JIM KENDALL: Well, the only thing,
10 that kind of enforcement falls under another bureau, BSEE,
11 Bureau of Safety and Environmental Enforcement. But I can
12 tell you -- and I cannot speak for BSEE -- but when there
13 was drilling in 2012, BSEE had an inspector on the
14 platform 24/7, unlike the Gulf of Mexico where they fly
   around and every so often stop. Up here is recognizably
   different. So when they explore, BSEE will have an
                                                                16
   inspector on the platform. And if they do something like
                                                                17
18 that, that's it. They stop. They are busted.
             MR. HOWARD PATKOTAK: So the stipulations
   are already in place in that lease right now where -- that
21 thing you are talking about where they put someone on
22 the --
23
             DR. JIM KENDALL: That was a condition of
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24 the application to permit to drill. And that's a

25 different organization. They work with us. But when we

21 development plan. And we have to do another EIS, and we

22 come back and we show it to you and you tell us what you

24 years of meetings and documents to -- so everybody knows

23 think. It doesn't happen overnight. It takes several

25 what's going on.

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1 and whatnot, but it's our job to teach them Inupiat way of
 3
             MS. PAULETTE PONICK: Absolutely.
             MR. HOWARD PATKOTAK: -- although most of
   the school district does that on their own, but to me
   virtually my kids trust me more than anybody else, you
   know. That's how I know each of you are, too.
             MS. PAULETTE PONICK: And I know that,
   which is why it's so good that you are here and you are
   interested in doing that because without you they will not
   get the relationship and get the respect to ask the
   questions. You need that.
13
             MR. HOWARD PATKOTAK: I just remembered
14 something. This is for the record. We also oppose using
    -- what the heck do they call it?
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21 talking about something so huge and something so close to

22 Wainwright, I can't just keep my mouth shut about it. So

24 teaching students, it's the parents' job to make sure what

25 they learn. It's your job to teach them English and math

23 although I agree with the young teacher here about

18 don't know what's in there. At least I don't want that
19 being put out there if there is an oil spill. I don't
20 want them using that stuff out there because I don't know
21 what that is, not knowing what it is, how it's made, how
22 it might be extremely harmful to our marine mammals out
23 there. So I oppose that from the tribe's side.
24 MR. FREDERICK KAGAK: And it will get into
25 our lagoon up here because the current from out here, it

MS. PAULETTE PONICK: Dispersants.

MR. HOWARD PATKOTAK: Dispersants. We

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1	does go up inside there and will get into our fish and	1	That's why those would be necessary to confirm whether
	everything.		there is actually oil in there or not. So there might not
3	MR. HOWARD PATKOTAK: Thank you for	3	be anything.
4	coming. I got to go home.	4	MR. FREDERICK KAGAK: How much of the
5	MR. ROSSMAN PEETOOK: I think we should	5	coast will it cover, all the oil? How much of the coast
6	work together.	6	will it cover?
7	DR. JIM KENDALL: Yes.	7	DR. JIM KENDALL: It depends on the winds,
8	MR. FREDERICK KAGAK: Do you know how much	8	the currents and the time of year and whether they do the
9	oil is under our ocean right now?	9	oil spill risk assessment, the OSRA, which is discussed in
10	MR. ROSSMAN PEETOOK: Our villages are		the document; it would show where the oil went. So that's
11	opposing developing on the ocean, but we can work together	11	in there, right, Mike?
12	2 somehow. We don't know much, but we may know something	12	MR. MIKE ROUTHIER: We provide likelihoods
13	that you don't know.	13	of contact for different areas. So our scientists tell us
14	DR. JIM KENDALL: You know a lot that we	14	what areas are important, and that's where people in the
15	5 don't know.	15	community can help us is letting us know what areas are
16	MS. SHARON WARREN: You had a question,		important to the animals, important as hunting grounds.
17	right?		And we conduct modeling based on ocean currents and wind
18			data, and we calculate the likelihood of oil spilling from
19	gallons approximately is under our ocean right now?		one spot contacting these important areas, and that's what
20	· - · · · · · · · · · · · · · · · · · ·		is provided in the document is probabilities, likelihood
21	talking about the Chukchi		of contacting areas.
22		22	•
23			Deepwater Horizon, that tragedy when that oil was leaking,
	are kind of hard, but if you look at that lease sale, just		they were using satellites to watch the oil. We knew the
25	that one lease sale with those leases, Mike estimated	25	currents and the wind, and using the models they had a
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1	or Betty and her team of geologists estimated that with an	1	pretty good idea of where it was going. Some people said
2	anchor field and then extra smaller field there would be	2	it was going to go to England, up through the Gulf Stream,
3	about	3	and none of the modeling showed that. So they knew by
4	MR. MIKE ROUTHIER: 4.3 billion barrels.	4	studying the currents and the winds and using the models
5	MR. FREDERICK KAGAK: And if they do start	5	they could position the cleanup equipment where it needed
6	drilling and if they struck oil and if they had an oil	6	to be.
7	spill, how much of an area will it cover?	7	MR. FREDERICK KAGAK: All right.
8	DR. JIM KENDALL: That is described in the	8	DR. JIM KENDALL: It's science and art.
9	document, right?	9	But it's not perfect.
10	MR. MIKE ROUTHIER: Right.	10	MR. FREDERICK KAGAK: All right. That's
11	DR. JIM KENDALL: It's in the document.	11	all.
12	2 And what we learned from Deepwater Horizon, since that was	12	DR. JIM KENDALL: This was a very good

13 really a huge spill, we looked -- the geologists looked at

14 what they think is there. And if something similar would

15 happen, the numbers would not be the same, but they

16 estimate it and they call it a very large oil spill. And

that is in the document, as well as two other spills.

Proposed. Not that they are going to happen, but if it

19 did happen, we need to analyze it in advance. So that's

in the document. That's all laid out for you.

21 MR. MIKE ROUTHIER: One important thing to

22 remember is that although we can get some very smart

people making estimates based on very good data, they

24 never really know whether what they think could be there

25 is actually there until they drill that exploration well.

13 meeting. This is what we need. If there is no other

14 questions or comments --

15 MR. FREDERICK KAGAK: Will you guys be

16 here again anytime soon?

DR. JIM KENDALL: There is two more times 17

we are coming up. Even though this is for this process

19 and we have got to finish it by the court date, we are

also planning for the next five-year program, which would

go from 2017 to 2022. And it takes three years to plan

22 that. You will see me again and maybe -- and Mike and

23 maybe some people from headquarters probably in January.

And then we have some new Arctic standards

25 coming out that we are doing with that other agency, BSEE,

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 1 to tell the oil companies this is not only what we are
 2 going to make you do, but now it's the law. They are
 3 going to come out sometime, we hope, before January 1st.
 4 And you will see us again, and we are going to ask you
 5 what you think of those. Not such a thick document, but
 6 that's where we need folks who are experts up here like
 7 yourself and your Elders to look at it and tell us, yes,
 8 that makes sense or no, it doesn't make sense. So you
 9 will see us again.
10
             MS. SHARON WARREN: And if you want copies
11 of some of these documents that come out, we do post them
12 on our website, but if you actually want copies of it
   ahead of time in the mail, if you give us your name and
   your address, we will mail them to you so that you can be
   on our mailing list, and we will mail the documents to
16 you.
17
             DR. JIM KENDALL: Any other comments
   before we close the day out? This has been one of the
   best meetings we have had. With that, thank you very much
   for coming. This has been a great meeting. We will not
   be strangers. And we hope that we don't bother you too
22
   much. Thank you.
23
          (Proceedings adjourned at 8:57 p.m.)
24
25
                                                       Page 63
 1
                         REPORTER'S CERTIFICATE
 2
              I, MARY A. VAVRIK, RMR, Notary Public in and for
 3
    the State of Alaska do hereby certify:
 4
              That the foregoing proceedings were taken before
 5
    me at the time and place herein set forth; that the
 6
    proceedings were reported stenographically by me and later
    transcribed under my direction by computer transcription;
 8
    that the foregoing is a true record of the proceedings
 9
    taken at that time; and that I am not a party to nor have
10
    I any interest in the outcome of the action herein
11
12
               IN WITNESS WHEREOF, I have hereunto subscribed
13
    my hand and affixed my seal this ____ day of December
14
    2014.
15
16
                                  MARY A. VAVRIK,
17
                                  Registered Merit Reporter
Notary Public for Alaska
18
19
                My Commission Expires: November 5, 2016
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Wainwright November 20, 2014

Bureau of Ocean Management Public Hearing for 193 Remand - Chukchi Sea

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5	PUBLIC HEARING FOR
6	193 REMAND - CHUKCHI SEA
7	BUREAU OF OCEAN ENERGY MANAGEMENT
8	BUREAU OF OCEAN ENERGY MANAGEMENT
9	
10	Anchorage, Alaska
11	Taken December 1, 2014 Commencing at 7:07 p.m.
12	
13	Volume I - Pages 1 - 93, inclusive
14	
15	Taken at
16	Crowne Plaza Hotel 109 West International Airport Road
17	Anchorage, Alaska
18	
19	
20	
21	
22	Reported by:
23	Mary A. Vavrik, RMR
24	
25	

MIDNIGHT SUN COURT REPORTERS (907) 258-7100

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1	A-P-P-E-A-R-A-N-C-E-S	-	yourselves, starting.
2	Bureau of Ocean Energy Management:	2	•
3	James Kendall	3	·
4	Regional Director	4	· _ · _ · _ · _ · _ ·
5	Sharon Warren Deputy Regional Director	5	
6			F-J
7	Tribal and Community Liaison	6	I'm the Deputy Regional Director.
8	Michael Routhier Program Analysis Officer/Project Manager		
9	Betty Lau	8	
10	Chief of Resource and Economic Analysis Section		the tribal and community liaison.
11	Lisa Toussaint Regional Supervisor, Office of Environment	10	.,
12	Regional Supervisor, Office of Mivilonment		regional supervisor for office of environment.
13	For U.S. Department of the Interior, Office of the Regional Solicitor:	12	, , , , , , , , , , , , , , , , , , , ,
14			Office, Department of the Interior.
	Elizabeth Gobeski Attorney Advisor	14	
15			from BOEM in the room?
16	Taken by: Mary A. Vavrik, RMR	16	,,
17		17	
18	BE IT KNOWN that the aforementioned proceedings were taken		not introduced because she technically doesn't work for us
19	at the time and place duly noted on the title page, before		is Mary Vavrik sitting right over there. Aside from you
20	Mary A. Vavrik, Registered Merit Reporter and Notary		all who are going to provide some good comments, she is
21	Public within and for the State of Alaska.		the second most important person in the room. She's our
22			court reporter. And she takes down everything that's
23		23	said. So if you choose to come up and make a statement,
24			please talk clearly, enunciate and, again, give us your
25		25	name so she can get that into the record.
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P-R-O-C-E-E-D-I-N-G-S 1 DR. JIM KENDALL: All right. I think it's 3 a good time to start. There may be a couple other folks 4 that are signing in, but looks like we have got a great 5 crowd anyway. Thank you all for coming this evening. 6 This is a very important meeting. Please be careful with 7 the weather. This is something that's a concern for 8 everybody. Okay. Now, who am I? My name is Jim Kendall. I'm the

10 Regional Director -- can you hear?

11 **AUDIENCE:** We can barely hear you. DR. JIM KENDALL: I will just hold it like 12 13 this so you can hear me. How is that? Give me the thumbs 14 up. Okay. My name is Jim Kendall. I'm the Regional

15 Director for the Bureau of Ocean Energy Management. Now,

16 BOEM, B-O-E-M, is a federal agency, a bureau within the

17 Department of the Interior. What we are here for tonight

18 is to discuss the draft second supplemental EIS, and

19 that's about all I'm going to say for it at this

20 particular time because we are going to have a

21 presentation on it to tell you exactly why we are doing

22 this, how we put it together, and where we are in the

23 process.

24 Before I go any further, I want to introduce our

25 team. So the BOEM people, please stand up and introduce

Now, as for the process, we are going to start

2 off with a PowerPoint presentation on what this is all

3 about and how we are doing it. Then we will start a

comment period. We are going to do that by lottery. For

5 those of you that have decided that you want to speak,

6 okay, you wrote your name on a piece of paper. It's going

to be in a little bucket, and we are going to pick out the

names, and that will tell the order we are speaking. If

you didn't put your name in the little container and you

change your mind, you are welcome to go back outside, fill

out a little card and we will put it in.

12 We would also like to limit comments at the beginning to about three minutes. We want to make sure

14 everybody has a chance to speak. Now, if there is time at

the end, we can go back and we can ask for more comments.

All right? But we have to vacate the room by 10:00. So

we are going to wrap this up about 9:45. If you brought

anything with you in terms of handouts, you have some

speaking notes, it would really help us have a better

record if you could provide those to Mary. We want to

make sure that we get everything that's said into the

record so we can use that for our document.

23 Before I turn it over to our speakers going

24 through the presentation, this is really important. The

25 document we are talking about tonight is not a decision

Anchorage December 1, 2014

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- 1 document. It is a document that pulls information
- 2 together. That document, this informational document,
- 3 will be given to the decisionmaker. The decisionmaker is
- 4 the Secretary of the Interior. So our goal is to provide
- 5 the Secretary with all the information we can gather and
- 6 analyze so she can go through it and eventually make a
- 7 decision. So that's why we are here tonight. Sort of the
- 8 CliffsNotes version.
- 9 And with that I'm going to turn it over to Mike
- 10 Routhier and Betty who are going to walk you through what
- 11 this is all about. So Mike.
- MR. MIKE ROUTHIER: As Jim explained,
- 13 we're here to talk about a document that the agency has
- 14 produced. It's a draft document. And we are here to get
- 15 your comments on that document. This document is called
- 16 Chukchi Sea OCS Oil and Gas Lease Sale 193 Draft Second
- 17 SEIS. And SEIS stands for Supplemental Environmental
- **18** Impact Statement. That's a NEPA document. It's a
- 19 document that analyzes environmental effects of a
- 20 potential decision.
- We are the Bureau of Ocean Energy Management, or
- 22 BOEM. It's a federal agency within the Department of the
- 23 Interior. We are here to talk about that document we
- **24** prepared and get your comments on that document.
- First a little background information about what

- 1 and production plan phase. Here it's important to
- 2 remember that we are still at stage two of the process,
- 3 the planning for the specific oil and gas sale stage. And
- 4 it's a little bit different here in that we are analyzing
- 5 a lease sale that has already occurred, and so we will
- 6 provide a little bit more background information about
- 7 Lease Sale 193.
- 8 This process started back in 2007. The agency
- 9 was contemplating holding a lease sale and, according to
- 10 NEPA, prepared an EIS, or Environmental Impact Statement,
- 11 to analyze the potential effects of leasing in the Chukchi
- **12** Sea.
- In 2008 Lease Sale 193 was held, collected high
- 14 bids of almost 2.7 billion and leased 487 leases. In 2010
- 15 and 2011 the agency prepared a supplemental EIS. And this
- **16** responded to a United States District Court remand. After
- **17** BOEM went through the process, conducted more
- 18 environmental analysis consistent with that remand, the
- 19 agency went back to the District Court who then found that
- 20 the agency had satisfied its responsibilities, and it
- 21 dismissed the case. However, the plaintiffs in that case
- 22 appealed to the Ninth Circuit Court of Appeals.
- 3 That appeal raised two main issues. The first
- 24 issue was an issue concerning missing information and how
- 25 the agency had handled that issue of missing information

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- **1** BOEM does. The primary responsibility of BOEM is to
- 2 manage the development of offshore energy and mineral
- 3 resources on the Outer Continental Shelf. In Alaska, the
- 4 Outer Continental Shelf, or OCS, is three miles to 200
- 5 miles from shore. And the agency is tasked to do that in
- 6 an environmentally and economically responsible way.
- 7 The program that the agency runs starts out with
- 8 a five-year program that assesses at a national level
- **9** which areas of the OCS might be suitable for leasing.
- 10 Once leases are sold, then companies might submit
- 11 exploration plans or development and production plans.
- 12 The agency's responsibilities includes reviewing and
- 13 potentially improving those plans. Prior to any approval,
- 14 the agency conducts many environmental reviews. Those
- --
- 15 reviews are supported by a robust environmental studies
- program. And the agency also does other things likeevaluate the offshore resources of various areas; in other
- 18 words, how much oil and gas might exist in certain areas
- **19** of the OCS.
- This program I described takes place in a
- 21 four-stage process. First was that five-year plan or
- 22 five-year program that I mentioned. Second would be
- 23 planning for a specific oil and gas lease sale. Where
- 24 leases are sold you might get to the EP stage, and if a
- 25 company moves past that, you might get to the development

- 1 in the 2007 document. And the Court of Appeals dismissed
- 2 that argument. However, the second issue the Court of
- 3 Appeals did not dismiss. That was an issue concerning the
- 4 scenario upon which the 2007 document was predicated.
 - The 2007 SEIS analyzed a one-billion-barrel
- 6 exploration and development scenario. And the idea was
- 7 that the one billion barrels represented the minimum field
- 8 size to justify development in Chukchi Sea which is a
- **9** frontier area with no prior economic discoveries.
- The Ninth Circuit Court of Appeals found that
- 11 the reliance on a one-billion-barrel scenario was a
- 12 deficiency. Specifically the agency had acknowledged that
- 13 if that first field were to go in, that field of one
- 14 billion barrels or more, then more development and
- 15 production could follow. However, the agency did not
- 16 analyze the environmental effects associated with any
- 17 subsequent development. And that was found to be wrong by
- **18** the Court of Appeals.
- So now BOEM is correcting that deficiency by
- 20 preparing this Second SEIS, and this document analyzes the
- 21 environmental effects associated with a higher level of
- 22 production, specifically 4.3 billion barrels of oil and
- **23** 2.2 trillion cubic feet of natural gas production.
- When we set about developing this document, we understood that it would be important to bring in other

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- 1 parties with knowledge of the environment and expertise in
- 2 the issues that we were evaluating. So basically we
- 3 invited several agencies to be cooperating agencies; in
- 4 other words, help us with the document. Several agencies
- 5 accepted that invitation. Those include our sister
- 6 agency, the Bureau of Safety and Environmental
- 7 Enforcement, or BSEE; also the Bureau of Land Management,
- 8 BLM; the State of Alaska; the North Slope Borough and the
- 9 Northwest Arctic Borough. They are all cooperating
- 10 agencies. There are also several participating agencies,
- 11 other agencies that are also helping us prepare this
- 12 document. Those include EPA, Fish & Wildlife Service,
- 13 NMFS, and the Coast Guard.
- As a NEPA document, the heart of this document
- 15 is in the alternatives analysis, and this Second SEIS
- 16 analyzes four alternatives, and the same alternatives that
- 17 were analyzed in the 2007 document and also in the 2011
- 18 supplemental document. Basically they go to a decision of
- **19** whether to affirm the leases, to modify the lease sale in
- 20 some manner, or to vacate the leases that currently exist
- 21 in the Chukchi Sea. And it should be noted, that's a
- 22 decision that falls to the Secretary of the Interior.
- Another critical point here is that no new areas
- 24 will be leased through this process. So the document
- 25 doesn't analyze leasing anywhere else except for those

- 1 areas where we don't have information.
- **2** From that area, now, as we move down the
- 3 triangle, we talk about the UTRR, the undiscovered
- 4 technically recoverable resource. That means, again, we
- 5 don't know for certain where they are, but we think that
- 6 this is the pools that would be available to us using our
- 7 current technology. So nothing exotic, just the
- 8 technology we have at hand. Now, that drops our number
- 9 from 8,500 prospects to 1,400 pools, or 15.4 billion
- 10 barrels. But that's undiscovered. And it's technically
- 11 recoverable if money is no object.
- Well, money is an object, as we all know, and so
- 13 we further reduced that by assigning a price and analyzing
- 14 how much of that UTRR would be recoverable at a specified
- 15 price. Obviously if you change the price, you change the
- 16 UERR, or undiscovered economically recoverable resources.
- 17 And at \$110 a barrel, which is the price at which we
- 18 analyzed it -- and although it looks a long time ago,
- 19 that's really what it was last summer -- you get 11.5
- 20 billion barrels in the Chukchi Sea. You can see how this
- 21 is going down and down.
- Now, of those 11.5 billion barrels, that's for
- 23 the entire area in the Chukchi Sea. Well, we are not
- 24 talking about the entire area. We are not talking about
- 25 adding any new leases as a result of this action. So now

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- 1 areas which are currently under lease.
- 2 So the foundation of any environmental analysis
- 3 is the scenario. You need something for the environmental
- 4 analysts to analyze. And this was especially critical
- 5 here because the Ninth Circuit opinion found fault with
- 6 some issues loosely pertaining to the scenario in the
- 7 previous document. So here to talk to you a little bit
- 8 more about how BOEM developed that scenario is Betty.
- MS. BETTY LAU: Thanks, Mike. Okay. One
- 10 of the concepts that's difficult for everyone to get a
- 11 handle on is that the Chukchi Sea is associated with a lot
- 12 of different numbers. And in order to do this analysis,
- 13 the Court told us that we had not analyzed a sufficient
- 14 volume. So we had to go back and start from the beginning
- 15 and reanalyze it now with the basis of the new information
- 16 that we had from the actual lease sale. So instead of
- 17 some nebulous area that was being offered for leasing,
- 18 which is the way the analysis was done before the lease
- 19 sale, now we know what was leased, we have new
- 20 information, so we took a fresh look and we started over.
- 21 But if you look at all of the Chukchi Sea
- 22 planning area and you look at all the potential prospects
- 23 or places that might have oil and gas, there are about
- 24 8,500 of them. And that's based on the knowledge that we
- 25 do have, plus extending that statistically to include

- 1 we have a limited area, and we also have a limited time.
- 2 Leases are issued for typically ten years. Right now the
- 3 leases in the Chukchi Sea are under suspension because of
- 4 the litigation. But they don't have an infinite amount of
- 5 time to develop them. And to get one big prospect
- 6 developed would take time, and it would take a lot of
- 7 resources. It would take capital. It would take new --
- 8 you know, working with new technology.
- **9** So when you talk about what could be developed
- 10 as a result of Sale 193 and subsequent development from
- 11 additional lease sales because you had a success resulting
- 12 from Sale 193, you get 6.4 billion barrels. But then just
- 13 the prospects that we think could be reasonably developed
- 14 as a result of Sale 193, you finally get to the tip of the
- 15 triangle, and that is 4.3 billion barrels with one big
- 16 major field, what we call an anchor field, the one that
- 17 holds everything down, the one that proves up your
- 18 economics.
- 19 If you get one good, big field, you can -- that
- 20 you are making money with, you may -- an operator, we are
- 21 assuming, would explore and maybe develop one smaller
- 22 field along with that anchor field that could use some of
- 23 the infrastructure. They could use the pipelines. They
- 24 could use some of the infrastructure that's already in
- 25 place.

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- So that's where the 4.3 billion barrels comes
- 2 from. As I said, it assumes the development of an anchor
- 3 field, which is 2.9 billion barrels, and what we call the
- 4 satellite fields, since it's relatively insignificant
- 5 compared to the anchor field, of 1.4 billion barrels,
- 6 which is still pretty big. And totaling 2.2 trillion
- 7 cubic feet of natural gas.
- Another big change in this scenario, which is
- 9 kind of our idea of how you might -- how this 4.3 billion
- 10 barrels might be developed -- and that's all it is; it's
- 11 just our idea of how many wells would it take. How many
- 12 platforms would it take? How much pipeline would you have
- 13 to have? And that's the basis for the environmental
- 14 analysis. One of the things we had to assume is that at
- 15 present there is no way to get the natural gas to market.
- **16** We make the assumption that the gas line going from the
- 17 North Slope down to southern Alaska is going to be in, and
- L8 by the time we are ready to sell our gas, it's going to
- 19 be -- have -- it will have capacity.
- But in the interim when you first produce out of
- 21 the ground, you get oil and gas and water all mixed
- 22 together. Our assumption is you would separate that out
- 23 on the platform and pump the water -- and at first you
- 24 pump the natural gas back into the reservoir to increase
- 25 the reservoir pressure. It's the system they are using

- 1 scientific information that has come to light since 2011.
- 2 We identify impact-producing factors or those aspects of
- 3 oil and gas activities that have potential to affect the
- 4 environment, and then we analyze the impacts of the
- 5 scenario through time. So we walk the reader through the
- 6 77 years it would take to get through this hypothetical
- 7 exploration and development scenario.
- 8 The analysis also looks at the potential for oil
- 9 spills and makes many assumptions with respect to oil
- 10 spills. More specifically, we assume that two large oil
- 11 spills could occur, large being greater than or equal to
- 12 1,000 barrels. Using our historical data set, we have
- 13 assumed figures of a 5,100 barrel spill from a platform
- 14 and a 1,700 barrel spill from a pipeline. Our data tells
- 15 us that something less than two large spills is more
- 16 likely, but we wanted to err on the side of overestimating
- 17 impacts for the purpose of this analysis.
- .8 Also with respect to oil spills, the analysis
- 19 updates the analysis of the very large oil spill that was
- 20 done in 2011, "very large" meaning greater than or equal
- 21 to 150,000 barrels. It's a very unlikely event; however,
- 22 knowing what kind of impacts could occur we felt it was
- 23 important for the decisionmaker, the Secretary of the
- 24 Interior, to be aware of the impacts that could occur in
- 25 such an event.

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- 1 right now at Prudhoe.
- 2 And what we do include is after the oil is
- 3 depleted, then the natural gas would be produced at a
- 4 later date, and that is the reason that from exploration
- 5 through development and putting in your infrastructure,
- 6 producing all the reserves -- first the oil, then the
- 7 gas -- and also including decommissioning, so taking out
- 8 the platforms, plugging the wells with cement, removing
- 9 the infrastructure as it is no longer needed, it would
- 10 take 77 years, which is considerably longer than any
- 11 previous scenario.
- We are assuming both oil and gas would be sent
- 13 to market via pipelines; first a pipeline to shore and
- 14 then across NPR-A to the North Slope either to go -- the
- 15 oil would go into TAPS. The gas would go into the
- 16 hopefully future gas line from the North Slope.
- Okay. I'll give it back to Mike.
- **MR. MIKE ROUTHIER:** So after Betty's group
- 19 provided us with a scenario of this hypothetical set of
- 20 activities to look at, we were then able to hand that off
- 21 to our analysts, our biologists, our wildlife biologists,
- 22 oceanographers, social scientists for the analysis of the
- 23 potential effects. And that analysis considers new
- 24 information, so we're talking about not only information25 regarding the leases as Betty mentioned, but also any new

- 1 The document also analyzes cumulative impacts.
- **2** So we are not analyzing oil-and-gas-derived impacts in a
- 3 vacuum; rather, we are also considering factors such as
- 4 climate change, vessel traffic, additional development in
- 5 communities, recreation, tourism, subsistence activities,
- 6 military activities, any other activities not related to
- 7 oil and gas activities, but which may also influence the
- 8 overall impacts to environmental resources.
- 9 So what are the next steps in this process?
- 10 Well, currently we are in a 45-day comment period that was
- 11 triggered with the release of this draft document. And
- 12 that comment period runs until December 22nd. Once all
- 13 the comments are received, the agency will go through all
- 14 the comments and revise the document accordingly, draft up
- 15 responses to the substantive comments and in other manners
- 16 just prepare the final version of this document. We
- 17 expect to release a final version in late February of next
- **18** year. And after a 30-day waiting period, then the
- 19 Secretary of the Interior will be able to render her
- 20 decision.
- As far as submitting comments, there is two ways
- 22 to do so. You can provide your comments here tonight
- 23 through your testimony. And we have the court reporter
- 24 here. Mary will take down your testimony that will be in
- 25 the record that will be considered by the agency as we

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- 1 revise the document. Or you can submit your comments
- 2 through regulations.gov. That is an on-line portal that
- 3 the government uses to collect public comments. And as I
- 4 said before, the comment period ends December 22nd, and
- 5 it's actually 8:00 p.m. Alaska time. And you see the
- 6 website provided here. We also have a handout that will
- 7 walk you through how to use the regulations.gov portal.
- And that concludes the presentation.
- **DR. JIM KENDALL:** Thank you, Mike and
- **10** Betty. This now officially starts the public comment
- 11 period. We did that in just under 30 minutes since we
- 12 started a minute or two late. And with that, I want to
- 13 ask for the little basket that should be coming in any
- 14 minute. Here it comes. No, not quite. But the basket,
- 15 we're going to have people go in, pull the names out of
- 16 the hat, so to speak. That will say the order people are
- 17 welcome to come up and speak. Please limit your comments
- 18 to three minutes or so so that everyone who has submitted
- 19 their name has a chance to speak. We do have to be out of
- 20 here by 10:00, so we have to wrap up about 9:45. And with
- and the state of t
- 21 the weather being as bad as it could get, we really would
- 22 like to see people get home safe.
- So with that, Sharon if you will find a couple
- 24 folks to pick out some names, let's get started. We have
- 25 a podium here. When you come up, even though I'll read

- 1 quadrupling of the production estimate in this Draft SEIS
- 2 shows that there were significant problems with the
- 3 previous analysis. TWS appreciates BOEM staff's hard work
- 4 on this new document.
- Since we testified before your predecessor,
- 6 BOEMRE, on the Chukchi Sea Draft SEIS in 2011, our staff
- 7 are more convinced than ever that drilling in the Chukchi
- 8 Sea is highly premature and problematic. The mobilization
- 9 and drilling related problems Shell experienced in 2012
- 10 should not be ignored by the Obama administration.
- 11 Additionally, the Draft SEIS shows that there is a 75
- 12 percent chance of 1,000 or more barrel oil spill in the
- 13 Arctic Ocean without the possibility of meaningful oil
- 14 recovery, which provides together a powerful argument not
- 15 to move forward with Chukchi Sea drilling. Because of the
- 16 ecological and cultural importance of the region, which
- 17 BOEM is extremely familiar with, and because of Shell's
- 17 BOEW IS extremely familiar with, and because of Sher
- **18** problems in 2012 and the high likelihood of
- 19 1,000-barrel-or-more spill as determined by this Draft
- 20 SEIS, TWS supports Alternative 2 which would vacate Lease
- **21** Sale 193.
- As part of my work I am tracking and compiling
 - 3 the status of the key recommendations developed by various
- 24 prestigious commissions following the BP spill. These
- 25 incomplete activities make oil exploration and production

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- 1 your name, please go ahead and say it again. And if you
- 2 have any materials you would like to pass out, that is
- 3 great, too. My goodness. Number one on the list is Lois
- 4 Epstein. Lois, you are number one. I'm going to put a
- 5 one on that. And on deck is Ben Mohr.
- MS. LOIS EPSTEIN: I wasn't expecting
- 7 that. Well, thank you to BOEM for holding this public
- 8 hearing, and I appreciate all your work on the -- the
- 9 Draft Second Supplemental Environmental Impact Statement.
- Good evening. My name is Lois Epstein. I'm an
- 11 engineer and the Arctic Program Director for the
- 12 Wilderness Society, or TWS. I've spent over 20 years
- 13 working on oil and gas technical and policy issues as a
- 14 consultant and as an employee of nonprofit organizations.
- 15 I was a technical advisor on the report to the President
- 16 delivered in May 2010 which contained recommendations on
- 17 increasing offshore drilling safety following the BP
- 18 tragedy, and I also served on the BSEE federal advisory
- **19** committee established after the BP incident. I am not
- 20 opposed to oil and gas production in Alaska. My role at
- 21 TWS is to ensure that oil and gas drilling is done well
- 22 and in appropriate locations.
- The Wilderness Society was one of the plaintiff
- 24 organizations which supported this reanalysis of the Lease
- 25 Sale 193 production scenario and its impacts. The

- 1 on Lease Sale 193 tracts even more problematic. In our
- 2 view, the most significant gaps in follow-up
- 3 implementation include, one, the lack of issuance of
- 4 Arctic-specific regulatory standards which have not even
- 5 yet been proposed. Without such standards, a new
- 6 administration could readily change the requirements that
- 7 Shell or other operators need to meet, potentially making
- 8 drilling far less safe, though certainly more economical.
- **9** The issuance of blowout preventer, or well
- 10 control, equipment certification and other needed BOP
- 11 upgrade rulemakings has also been lacking. This
- 12 rulemaking has not yet been proposed, either.
- Three, increasing the liability cap for offshore
- 14 facilities, which must be done by Congress. Such an
- 15 action would ensure that there are sufficient funds for
- 16 response to a major incident.
- Four, Congress also needs to provide protection
- 18 for whistle blowers by amending the Outer Continental

protections guaranteed workers in comparable settings.

- 19 Shelf Lands Act to provide the same whistle blower
- The new Draft SEIS and the additional
- 22 information discussed above make a compelling case for
- 23 decisionmakers to not move forward with Chukchi Sea
- 24 drilling. The Wilderness Society urges BOEM to select
- 25 Alternative 2 and thus to vacate Lease Sale 193.

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1 Thank you.

2 MR. BEN MOHR: Thank you very much. My

3 name is Ben Mohr, M-O-H-R. Try to be brief. Probably the

- 4 most important thing I can say is that I strongly
- 5 encourage the Bureau this evening as you move forward to
- 6 finalize the SEIS and reaffirm Lease Sale 193 and allow
- 7 exploration activities to proceed. Lease Sale 193 has
- 8 undergone extensive environmental reviews. It's gone back
- 9 and back and back a number of times. You guys have been
- **10** working on this for a very, very long time.
- 11 In addition, the hundreds of leases, the
- 12 billions of dollars that have been spent to purchase those
- 13 leases, the millions and millions of dollars that have
- 14 been spent on employees to develop plans to move forward,
- **15** these companies produce jobs. They produce investments.
- 16 They have the opportunity to produce oil and gas, as well.
- As I said, I could probably go on for quite a
- 18 while. I think my point is pretty clear, and I appreciate
- 19 your time. Thank you.
- MR. GEORGE DONART: I'm a commercial
- 21 fisherman. I fish in Western Alaska. The ocean nurtures
- 22 the salmon that I catch. I know firsthand how remote
- 23 parts of our state are and how little infrastructure there
- 24 exists in most of Alaska. The Chukchi Sea coast is the
- 25 most remote and has the least infrastructure of any

- 1 renewables and nuclear energy. These alternatives must
- 2 include existing and cutting edge technology, as well as
- 3 technology innovation patterns and trends. They must
- 4 incorporate long-term price trends of non-oil energy
- 5 sources, as well as realistic economic models that include
- **6** replacing domestic oil use over the long-term.
- 7 The cost of oil subsidies in the form of free
- 8 pollution of the atmosphere must be included in the
- 9 economic analysis. Examples would include the recent
- 10 reports of how wind is now the cheapest source of
- 11 electricity in the United States on a per kilowatt hour
- 12 basis. The major manufacturing expansions, such as the
- 13 gigafactories for both large batteries and solar panels
- 14 and a strong market for electric automobiles.
- My second concern is there is no known way to
- 16 recover from a large oil spill in ice-filled seas. There
- 17 are many aspects to this. Mitigation must include very
- 18 robust oil spill response. Robust means more stringent
- 19 requirements than in any other region and more stringent
- 20 than present day requirements. Any development must make
- 21 it as safe as possible so as not to shift the risk to
- 22 residents of the North Slope area.
- There is no Coast Guard presence in the Chukchi
- 24 Sea. Only local residents are available to respond to a
- 25 spill. Until Arctic spill response regulations based on

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- 1 stretch of Alaska's shore. I'm opposed to allowing this
- 2 lease sale to go forward for two main reasons: The first
- 3 and perhaps most critical is the effect of burning the oil
- 4 reserves on our atmosphere and oceans. The most recent
- 5 IPCC report says we have to leave most of the world's oil,
- 6 gas and coal reserves in the ground if we are going to
- 7 keep the world from heating up beyond two degrees Celsius.
- 8 The EIS must address climate change, ocean
- 9 acidification and sea level rise in regard to this lease
- 10 program. These analyses must be done in great detail.
- 11 The SEIS must include a complete and thorough analysis
- 12 that shows how much CO2 is put into the air, both from the
- 13 development of leases in the Chukchi Sea, as well as the
- 14 burning of all the oil in the reservoir. You must analyze
- 15 how that carbon pollution affects climate, ocean health,
- 16 and how much it will contribute to sea level rise and
- 17 flooding of coast cities and areas. It must include the
- 18 cost of mitigation of these impacts, as well as
- **19** adaptations to these impacts.
- The conclusions and findings of the IPCC must be
- 21 included, as well as Department of Defense and Center for
- 22 Naval Analysis analyses of the security implications of
- 23 continued high carbon emissions.
- The EIS must develop an alternative that
- 25 includes the transition to noncarbon-based energy, such as

- 1 experience and demonstration in the field are in place, do
- 2 not allow exploration. Be able to evaluate the spill
- 3 response capability under worst case weather scenario:
- 4 Forty to 100 knot winds, sea ice and no daylight for two
- 5 months.
- 6 BOEM must be able to ensure and demonstrate
- 7 response capability. Resources must be available on board
- 8 response vessels at all times with less than a one-hour
- 9 response time to a spill. Crews of people from local
- 10 communities must have HAZWOPER training that is updated
- 11 continuously with a trainer in each village to keep
- **12** everyone current on best practices.
- The EIS also needs to address how the BSEE will
- 14 be held accountable for prevention and mitigation of oil
- 15 spills, i.e., effective response capacity and how to
- 16 ensure those prevention and mitigation measures are
- 17 followed through on and enforced. Develop mitigation that
- 18 sets up response materials and resources and maintains
- 19 them in an always ready condition.
- All vessels need to be big enough to handle
- 21 large multimillion gallon -- to deal with large
- 22 multimillion gallon oil spills. Oil response vessels must23 be able to work and sail in sea ice. Vessels must be able
- 24 to deal with large scale spills greater than those
- 25 presently employed are capable of.

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My understanding is that the EIS acknowledges	1 that they supposedly leased when they spent that money
that 50 percent of oil in a spill will evaporate but loss	2 Over 102 billion dellars will be generated in tax revenu

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- 2 that 50 percent of oil in a spill will evaporate, but less
- 3 than ten percent will be recovered. This is not
- 4 acceptable and shows a complete disregard to ocean
- 5 resources and the communities that rely on them.
- 6 Mitigation would include not permitting any
- 7 drilling, including exploration, until BOEM can
- 8 demonstrate greater than 75 percent of oil can be
- 9 recovered under realistic conditions, not just in test
- 10 facilities.

1

- 11 Thank you for taking my testimony.
- 12 MR. MATT CRONIN: Thank you. My name is
- 13 Matt Cronin. I'm a research professor at UAF, and I'd
- 14 like to provide a few comments. First, I was thinking
- during the presentation that this process started in 2007.
- And maybe just some academic insights.
- 17 World War II was completed in less than four
- years from Pearl Harbor to the surrender of Japan. The
- 19 Alaska Highway was built in less than one year. And
- 20 making these decisions takes a long time. I know it's not
- 21 BOEM's choice. I know it's the way the system has
- 22 evolved. But I think that's useful insight, and I urge
- 23 within Interior, BOEM and the other agencies, to discuss
- 24 that. I know there is a lot of talent in DOI and a lot of
- 25 scientific expertise.

- ey.
- Over 193 billion dollars will be generated in tax revenue
- to state, federal and local governments if we proceed with
- 4 this and start drilling and working. I don't know about
- you, but last time I checked, the state budget was three
- billion short, so they could use the money and, heaven
- knows, the feds could use the money.
 - The North Slope is one of the most studied
- pieces of real estate on the planet. There is no need to
- keep doing this over and over again with the sole purpose
- of stopping development.
- 12 I can't say it any clearer than when I started.
- 13 Let's finalize this and start drilling. Thank you.
- **MR. PHILIP STRAUB:** Hello. My name is
- 15 Philip Straub. Thank you for this opportunity. I'm
- speaking tonight against drilling in Arctic waters. It
- has been made clear that these proposed projects are
- neither environmentally responsible nor sustainable. We
- all need to begin seeing our natural resources not only as
- a form of energy development, but also for the beauty and
- value of the natural world and the importance of the
- Arctic landscape to all of its inhabitants. Drilling for
- oil and gas in the Chukchi Sea is not the right way to
- move forward with resource extraction.
- 25 Thank you.

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- And another point, the recent court decision on
- 2 bearded seals vacating the ESA listing decision, the judge
- 3 said it was overly speculative. And there is a lot of
- 4 scientific expertise in DOI, including BOEM. I encourage
- 5 BOEM to discuss the science issues, take license to use 6 your scientific training and your imagination. Don't
- 7 be -- don't be stifled by the bureaucratic process.
- 8 Discuss it because we shouldn't have a judge correcting
- 9 science when we have a government with many fine
- 10 scientists. That's my main point.
- 11 I really encourage the government to not -- the
- 12 government people in DOI and the other agencies, don't let
- your imaginations and your scientific curiosity be
- 14 squashed by the regulatory process. Question the other
- agencies. If there is something in the EIS that's not
- definitive science, question it and work things out and
- 17 make sure the best science is in the document.
- 18 Thank you.
- 19 MR. MICHAEL JESPERSON: Hi. My name is
- 20 Michael Jesperson. To start off with, let's finalize this
- 21 EIS and start drilling. Get it over with. This has been
- 22 going on way too long. Since 2005 there have been over
- 23 680 lease sales. Nobody has been able to drill yet. It's 24 ridiculous that the government took these companies'
- 25 monies and isn't letting them do anything with the assets

- MS. JUDY STOLL: My name is Judy Stoll,
- and I'm here to advocate not drilling in the Chukchi Sea.
- The loss to wildlife and the people who depend on it is
- 4 incalculable. There has never been offshore drilling
- without oil spills. The disaster that we had in the Gulf
- 6 of Mexico recently should testify to the fact that it is
- very dangerous. And human beings are fallible. They make
- mistakes. And anything dependent on the infallibility of
- 9 human beings, even if they are engineers or petroleum
- 10 engineers, is ludicrous.
- The gas as it is now is stranded. And it has to
- be brought over land, which would indicate another risk of
- oil spills over to NPR. Also another threat to wildlife
- and to the Native culture there. And I would like to add,
- too, that the money already spent shouldn't be used to
- justify continuation of the potential environmental
- disaster. Human -- I said this already. And we have
- already witnessed horrendous spills.
- And I conclude with that by saying that I don't 19 20 think this is the right place to drill for oil.
- 21 Thank you.
- MR. JOHN DEANS: Thank you. This issue is 22
- 23 huge, and it's bigger than just the folks in this room.
- 24 And there are not hearings elsewhere in the country, and
- 25 so we have a voice with us today that I wanted to present

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- 1 to you. So go ahead.
- Could someone help with the volume, please?
- 3 Hold on just a second.
- 4 So can you just say your name?
- MR. JONATHAN HENDERSON: (appearing via
- 6 computer.) My name is Jonathan Henderson. Good evening.
- 7 Again, Jonathan Henderson. I'm a resident of the Gulf
- 8 Coast Region. I was born, raised and still live in New
- 9 Orleans. I grew up swimming in the Gulf along the beaches
- 10 of Florida's panhandle, fishing in the bayous of south
- 11 Louisiana, and visiting family in coastal Mississippi.
- 12 Today I am very active in the fight for a
- 13 healthy Gulf and work for an environment called the Gulf
- 14 Restoration Network. I manage our field operations of
- watchdogging the oil and gas industry in the Gulf Region,
- which means taking frequent trips searching for and
- documenting leaks and spills and filing reports with the
- 18 National Response Center. I do not know of any one person
- 19 that has taken more trips than me by air, land and sea
- 20 documenting the impacts that the oil and gas industry has
- 21 had on the Gulf Region since April 2010. Therefore, I am
- 22 uniquely qualified to deliver this message opposing Arctic
- 23 drilling on behalf of impacted communities all across the
- 24 Gulf Region.
- 25 In the last four years I have documented over

- 1 take you to inland bays that were once thriving with
- 2 life -- birds and insects, shrimp, oysters, crab and even
- 3 dolphins -- that are now nearly completely devoid of life.
- 4 It is a tragedy what happened down here, not only to the
- environment, but to the people who for generations have
- made their living off the abundance of life that now seems
- to be dying a slow, painful death in some areas.
- The biggest lie perpetuated so far in the
- 9 aftermath of the BP disaster is that the industry and
- government has learned its lessons and now there is
- 11 technology to handle any future disasters. I attend the
- 12 Area Contingency Planning meetings for my region, and I
- can tell you firsthand that we are not ready, and the
- 14 agencies charged with responding admit as much. The plan
- in no uncertain terms is to apply subsea, surface level
- and aerial toxic dispersants to sink any oil as it comes **17** up.
- The U.S. Coast Guard admits that if there were 18
- 19 another BP-type disaster, that we would have to import
- boom from overseas because we still do not have enough,
- nor does it really work that well in the first place.
- They admit we would not have enough skimmers on hand, much
- less the trained personnel to operate them. Furthermore,
- **24** Congress has failed to implement any of the President's
- 25 Oil Spill Commission recommendations following the BP

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- 1 100 pollution incidents that are unrelated to the BP
- 2 disaster from leaking wellheads and busted pipelines on
- 3 land and near shore, to drilling rigs and platforms
- 4 offshore. In fact, there is a leaking well 11 miles off
- 5 of Louisiana's coast known as the Taylor Energy Leak that
- 6 has been leaking since 2004. Yes, 2004. If we were to
- 7 travel together to this location tomorrow, I can show you
- 8 a rainbow slick that stretches at least 10 to 15 miles.
- **9** Absolutely nothing that the industry or government has
- 10 attempted over the last ten years has been successful in
- 11 stopping this leak.
- 12 If the industry has not been capable of plugging
- 13 this leak in relatively shallow, warm Gulf waters, the
- 14 notion that they would have the capability of shutting off
- 15 a blown-out well below the Arctic ice would be laughable
- 16 if it wasn't so serious.
- 17 The fact of the matter is, once a blowout
- 18 happens, the damage is already done. I can take you
- 19 places in the wetlands of south Louisiana where BP's oil
- 20 is still there. In many locations in Louisiana's shallow
- 21 saltwater marshes, if you drag your outboard motor in the
- 22 mud and sediment, you will immediately have rainbow sheen
- 23 surround your boat and an overwhelming stench of oil. I
- 24 can take you to beaches and barrier islands along the Gulf
- 25 coast where tar balls wash up on a daily basis. I can

- 1 disaster.
- Any person who uses his or her position of power
- 3 to move Arctic drilling forward is doing so despite the
- overwhelming evidence that the risks far outweigh the
- reward and that the ability to respond to a blowout is
- entirely lacking. You all are the only ones --
- MR. JOHN DEANS: They are calling time on
- you. Can you sum up one more sentence, please.
- MR. JONATHAN HENDERSON: Yes. You are the 10 only ones with the power and responsibility to prevent the
- 11 risk from ever taking place. I urge you to look up the
- precautionary principle and use it.
- 13
- The new draft analysis predicts there is a 75
- 14 percent chance of a major oil spill if these leases lead
- to development. I urge you to protect the Arctic from any
- and all future drilling. 16
 - MR. DAVID HARBOUR: Thank you very much,
- 18 Doctor. The area affected by this lease sale has been
- 19 exhaustively analyzed by BOEM and its predecessor agencies
- 20 and by its sister agency and by a gauntlet of court
- proceedings resulting in a number of remands. I believe
- 22 BOEM is correct in now aggressively proceeding with the
- 23 four-step process mandated under the Outer Continental
- 24 Shelf Lands Act. I join others in lamenting the judicial

25 delays of what has become more than a decade-long process.

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- 1 Citizens must accept much, if not most, of the delay was
- 2 imposed by the courts in response to legal challenges to
- 3 your process.
- 4 While some may have disputed your own process or
- 5 the competence in executing it, some of us believe the
- 6 courts overreacted and overreached and in at least one
- 7 case inappropriately substituted its judgment for your
- 3 own. But that's water under the bridge.
- 9 The second Chukchi Lease Sale 193 SEIS now
- 10 before us reasonably states the range of values of the OCS
- 11 resource to the nation. That partly addresses one of the
- 12 remand requirements going back to the billion barrel
- 13 issue. Environmental protections have been addressed in
- 14 unfathomable detail.
- Ms. Epstein's Wilderness Society comments in
- 16 this record urging the Congress and the Obama
- 17 administration to attach vast new stipulations are
- 18 specious and inappropriate. They are specious because her
- 19 allies were litigants in a decade-long legal process that
- 20 urged BOEM to do exactly what it has done. Her comments
- 21 are inappropriate because this agency's charge is not to
- 22 address Obama administration political strategy. It is to
- 23 render with credibility a scientific process.
- The challenge now is to successfully process the
- 25 remaining steps required by the OCS Lands Act. Even with

- 1 there will not be any more spills. We have already killed
- 2 everything on the planet, and we are continuing to do so,
- 3 and if we want to continue to do so, continue forward.
- 4 MR. PHIL SOMERVELL: My name is Phil
- 5 Somervell. And basically I would request that BOEM vacate
- 6 the leases for all sorts of reasons. I'm not familiar
- 7 with any of the details of your methodology in doing your
- 8 analyses. I have to admit that. However, I'm an
- 9 epidemiologist by training, being in public health
- LO research and largely statistical in nature, so I know
- 11 something about what's involved in calculating risks. And
- 12 I honestly can't fathom how one could do a competent
- 13 analysis of risk, given the lack of -- given the kind of
- 14 data that you have, especially when you are extrapolating
- 15 from what's known to the unknown of doing this kind of
- 16 work in the Arctic Ocean with all of its incredibly
- 17 violent weather and difficult conditions that people have
- **18** mentioned. So I have questioned that.
- Also, the prudential principle has been
- 20 mentioned, an important public health concept. In the
- 21 face of uncertainty, of which there is a lot, one has to
- 22 really err on the side of caution and on the side of not
- 23 doing harm such as oil spills, leaks, et cetera,
- 24 especially when the cost of that caution is bearable. And
- 25 it is. I understand the frustrations of my friends in the

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- 1 this step out of the way, the challenges to you, to the
- 2 Secretary, to the industry are daunting, but the economic
- 3 value of this work to Alaska and the national interest
- 4 values to the United States demand your very best work
- 5 from this point forward, knowing that part of your
- 6 challenge is to permit an economically feasible project
- 7 while respecting due process and eliminating causes for
- 8 litigants to challenge your future processes and decisions
- 9 and the Secretary's ultimate decision.
- Thank you very much.
- MS. LEA MERRITT: I'm not as educated on
- 12 these issues as some people who already testified, but I
- 13 am testifying because I think it's important to add as
- 14 many voices as possible to the continued belief that we do
- 15 not continue drilling unless we have truly fail-safe
- 16 practices so that there aren't any spills. There are
- 17 plenty of technologies that we can utilize that aren't
- **18** being used at all in any of the oil fields that are
- 19 already being drilled and that are not proposed in any of
- 20 the plans that are in place anywhere.
- 21 We have self-healing technologies where you can
- 22 self-heal holes. There are all kinds of different things
- 23 that we are not using.
- And I'm sorry, but I don't support any future
- 25 drilling unless we have a much greater safety plan so that

- 1 oil and gas industry, but those are monetary.
- 2 Climate change is not -- is a catastrophe that's
- 3 upon us, and that should really be an overriding concern.
- 4 Even the Joint Chiefs of Staff consider it an overriding
- 5 concern in terms of our nation's security, which tells you
- 6 something, that this is not just a one side of the
- 7 political spectrum issue. It's vast, and people across
- 8 the board are recognizing that.
- 9 Also, scientific certainty in this context, I
- 10 think the phrase is almost ludicrous. The one scientific
- 11 law that's absolutely certain is Murphy's law, which I
- 12 respect a great deal. If something can go wrong, it will.
- 13 We know things go wrong all over the place because they
- 14 always do. It's a question of only when and how badly and
- 15 how catastrophic. And we cannot afford it. The oceans
- 16 can't afford it. The atmosphere can't afford it. The
- 17 wildlife can't afford it. Our subsistence users can't
- **18** afford it. It simply is time to just say no.
- And I'll stop there. Thank you.
 - MR. NICOS PASTOS: Hello, everybody. My
- 21 name is Nicos Pastos, and I'm here as an Alaskan. My job
- 22 is an environmental officer for the Alaska Intertribal
- 23 Council, so I'm going to briefly summarize some of our
- 24 comments that we will be submitting on behalf of the
- 25 22-year-old treaty organization known as Alaska

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- 1 Intertribal Council. I'm also on the board of directors
- 2 for the Center for Water Advocacy, and I help co-direct
- 3 Alaska's Big Village Network, which is a volunteer
- 4 organization.
- These comments are aimed at Bureau of Ocean
- 6 Energy Management's Draft Supplemental Environmental
- 7 Impact Statement for Lease Sale 193. Simply put, the
- 8 Alaska Intertribal council has been on record for over ten
- 9 years as opposing Outer Continental Shelf mineral
- 10 extraction, oil and gas mining of any kind. We are very
- 11 concerned about the impacts -- the adverse
- 12 disproportionate cumulative impacts to customary and
- 13 traditional lifeways of indigenous peoples throughout the
- **14** Arctic. And in particular we're talking about hunting,
- 15 fishing, gathering, whatever people would call the ability
- to get groceries or to bring in food for sustenance.
- 17 It seems as though we have got different
- 18 cultures here. The industrial oil or mineral extraction
- 19 culture is moving much too quickly for the best available
- 20 technology or science. We are disregarding the peoples
- 21 who have lived in the Arctic for thousands and thousands
- 22 of years. We are giving short shrift to our public
- 23 process. We are including the peoples who live in the
- 24 place, so any NEPA analysis has to have a really hard look
- 25 at socioeconomic and cultural impacts to the human beings

- 1 that this supplemental Environmental Impact Statement
- 2 leads to for Outer Continental Shelf oil and gas
- 3 development. We encourage Alternative 2, which would be
- 4 to completely vacate these lease sales. We don't even
- 5 have a Coast Guard that can respond to protect workers,
- let alone the people who live there.
- All right. These comments will be submitted on
- behalf of Alaska Intertribal Council, Center for Water
- Advocacy, which is a conservation organization based in
- Homer, Alaska, and Alaska's Big Village Network, which is
- an international organization.
- 12 Thank you.

13

- DR. JIM KENDALL: Thank you. If you want
- 14 to provide some comments now, that would be great.
- MR. NIKOS PASTOS: When we finish reading 15
- the document, 600 pages or so, we will have very explicit
- written comments.
 - DR. JIM KENDALL: Excellent. Thank you.
- MS. KATI WARD: I'm allowing Eric Larsen 19
- 20 to speak on behalf of me.
- 21 MR. ERIC LARSEN: (appearing via
- 22 computer.) Thank you for the opportunity. My name is Eric
- 23 Larsen. I'm a polar explorer and expedition guide. All
- 24 told, I've completed more polar expeditions than any
- 25 American in history. In 2006 I completed the first ever

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- 1 that live in an environment, as well as the marine
- 2 mammals, the migratory birds, the subsistence fisheries,
- 3 the -- the substantial commercial fisheries.
- So throughout our commenting on Lease Sale 193,
- 5 which is on record, it's on-line, backed up by resolutions
- 6 from dozens of tribes across Alaska and reaffirmed
- 7 multiple times -- I don't have them all written out yet,
- 8 but simply the Alaska Intertribal Council is opposed to
- 9 Outer Continental Shelf mineral leasing, mineral
- 10 extraction activities.
- 11 It's very disappointing that after we had the
- 12 big oil spill and the subsequent inception of the Oil
- 13 Pollution Act of 1990 that we do not have a safe way to
- 14 clean up oil in the Arctic or anywhere. The science --
- the science is not there. So you can look at the Kulluk.
- You can look at every failed attempt to create a blowout
- 17 preventer. The science isn't there yet.
- 18 Furthermore, the indigenous peoples who live
- 19 throughout the Arctic have not been fully engaged and not
- 20 in a culturally appropriate manner. We can say that the
- 21 minimum has been done. And this is no disrespect to the
- 22 professional people at BOEM or BSEE or BOEMRE or Minerals
- 23 Management Service, or whatever you want to call yourself
- 24 this year or next year.
- 25 Simply we are opposed to the harmful impacts

- 1 summer expedition to the North Pole. In 2010 I completed
- 2 a world expedition of the South Pole, North Pole, and the
- 3 top of Mount Everest within a 365-day period. And last
- 4 May I finished what I believe may realistically be the
- 5 last North Pole expedition in history due to global
- warming.
- While in the past, explorers have famously
- 8 quipped, because it's there, my journeys stand in stark
- 9 contrast because they may not be there in the future. My
- 10 goal is not to chart new territory; rather just to simply
- 11 discover these places as they exist today. My hope is to
- connect people to these last great frozen wildernesses and
- educate them about what they are like and how they are
- 14 changing.
- 15 After spending not just days and weeks, weeks
- and months traveling human powered across these
- landscapes, I'm in a unique position to comment on the
- current state of the Arctic and its overall fragility. I
- 19 have first person boots-on-the-ground knowledge. Make no
- mistake about it. The ice is melting. Over the past
- 21 ten-plus years, I have seen dramatic changes in the
- 22 character and nature of sea ice. More specifically,
- 23 Chukchi Lease Sale 193 region is warming at twice the rate 24 of the rest of the world. Drilling here will not only
- 25 continue the destruction of this unique environment, but

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- 1 also contribute to the plague of human-caused climate
- 2 change already affecting the entire planet.
- To prepare for my expeditions takes years of
- 4 planning, training and testing gear. To rush any facet
- 5 spells injury or worse for me and my team. Arctic
- 6 drilling is even more risky, as proven by Shell's
- 7 disastrous 2012 drilling program, to rush the lease sale
- 8 on 193. Interior should not do its work on Shell's
- 9 timeline. Again, rushing the analysis is what got it
- 10 wrong the first time. After suffering countless
- 11 expedition gear failures, I know that the Arctic is one of
- 12 the most inhospitable regions on the planet. Any oil
- 13 company that says that it can drill safely in the harsh
- 14 and demanding Arctic environment is putting the entire
- 15 region in jeopardy.
- 16 Over the years I've had several very, very close
- 17 encounters with polar bears. One jumped on my tent while
- I was sleeping in it. Another snuck up behind me coming
- within just 15 feet. As scary as these encounters were,
- 20 more frightening to me is a world without these animals.
- 21
- The new draft analysis now predicts there is a
- 22 75 percent chance of a major oil spill if the leases lead
- 23 to development. There is no effective way to clean up or
- 24 contain spilled oil in Arctic Ocean conditions. The
- 25 document acknowledges a major oil spill could result in

- 1 Trucking Association, the Alaska Chamber of Commerce,
- 2 Shell Energy Caterpillar and others that represent
- thousands of Alaskan workers and energy consumers.
- CEA not only strongly, but very, very strongly
- supports the responsible development of Alaskan offshore
- energy and encourages the BOEM to swiftly approve the SEIS
- and affirming the lease sale. Alaskans have long
- supported responsible development of our national
- resources. The federal government has studied the
- environmental impacts of this lease sale for many years
- and continues to find that Arctic oil and natural gas
- exploration can be done safely. Sound application of
- science and technology and intelligent reasonable
- regulation can ensure that we can protect the Arctic
- environment while developing the necessary energy
- resources to fuel our economy well into the future.
- 17 A recent CEA poll found that nearly
 - three-quarters of Alaskans -- three-quarters of
- Alaskans -- support offshore development north of Alaska.
- Energy development in the Chukchi Sea would boost the
- state's economy by generating 35,000 jobs annually for the
- next 50 years. Moreover, future development of offshore
- resources will help to fill the Trans-Alaska Pipeline and
- 24 ensure the longevity of this critical infrastructure that
- 25 is essential to the Alaskan economy.

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- 1 loss of large numbers of polar bears, and this would have
- 2 a significant impact on the SBS and CBS stocks of polar
- 3 bears.
- After examining all the impacts of Lease Sale
- 5 193, you have ample reasons to end drilling in the Arctic
- 6 Ocean in 2015 and beyond. Everyone who can hear my voice,
- 7 everyone in this room, all of us on this planet, we are
- 8 all the same. We are all explorers. And as explorers in
- 9 the 21st century, our job is not to conquer this place,
- 10 but to protect it.

12

- 11 Thank you.
 - MS. ANNE SENECA: Thank you. Good
- 13 evening. My name is Anne Seneca, and I'm the executive
- 14 director of Consumer Energy Alliance, and I oversee our
- 15 activity of our Alaska chapter. My husband and three
- 16 children and I are longtime Alaska residents, and we are
- very proud to call Anchorage our home. And I'm proud to
- stand here tonight and advocate in front of you for
- 19 Alaska's economic future and for my children's future.
- 20 CEA is a national nonprofit, nonpartisan trade
- 21 association made up of more than 250 corporate members and
- 22 more than 400,000 individual members. Nationwide we are

25 American consumers. Our membership includes the Alaska

- 23 dedicated to developing a balanced national energy policy
- 24 that will ensure adequate and affordable energy for

- For our neighbors in the Lower 48, arctic energy
- development will ensure greater energy security,
- particularly for West Coast consumers who depend on Alaska
- energy. Taxpayers will also benefit from the 193 billion
- dollars in revenue that could be generated by Alaskan OCS
- development. It's way past time for the government to
- affirm Lease Sale 193 and allow exploration to proceed so
- that Alaskans can realize the tremendous economic benefit
- these resources will provide the State.
- 10 Thank you for your time.
- 11 MS. KATIE WARNER: Hello. I'm Katie
- Warner, and I just want to speak briefly. I just want to
- say I strongly oppose drilling in the Arctic. I strongly
- oppose any action that we can't fix. I strongly oppose
- any action that could wipe out a species or could wipe out
- food and subsistence for communities that live nearby, and
- I oppose any oil spills that by all accounts seem to be
- nearly impossible to clean up. I just think we owe our
- 19 wild places and we owe our country better than that.
- 20 That's all I have to say.
- 21 Thank you.
- MS. MAGGIE MASSEY: Thank you. My name is 22
- 23 Maggie Massey. I'm an Anchorage resident. And I'd like
- 24 to say that first I would recommend that BOEM vacate the
- 25 leases that have been given under Lease Sale 193 and do

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- 1 not move forward with any drilling in the Chukchi Sea. I
- 2 appreciate the time that has been spent. People have made
- 3 comments about the process that has gone through the
- 4 different EISs, taking time to look at the impacts, and I
- 5 want to say that I appreciate this because I think it's
- 6 important to protect our wild places and to make sure that
- 7 we have adequate science and that all the voices have been
- 8 heard before we make these kind of decisions. So I
- **9** appreciate that.
- 10 And I want to specifically note that in the
- 11 presentation that was given earlier, there was -- it was
- 12 noted that you wanted to look at the cumulative impacts
- 13 before decisions were made, and I really appreciate that,
- 14 and I think that that should be meaningful in the
- 15 decisions that are made because if we look at what the
- 16 cumulative impacts are beyond these 50 or 77 years, if we
- 17 look at the devastating potential of oil spills, people
- have talked about how there is maybe a 75 percent chance
- of a devastating oil spill happening. If we look at the
- massive amount of infrastructure that would be required
- 21 that would cross wild places in Alaska, if we look at the
- 22 lack of recovery ability and prevention and response
- 23 capabilities that we have here, and if we look at the
- 24 potential devastation to traditional Alaskan lifeways that

1 that cumulatively we have plenty of reasons to not move

25 could result from drilling in the Chukchi Sea, I think

- 1 have the modern amenities that many of us take for granted
- 2 today. There were few health care facilities and schools
- 3 in the bush, and overall we had a lower standard of
- 4 living.
- 5 During my summer breaks from college, I worked
- on the pipeline both on the North Slope and in the Brooks
- Range. I saw for myself the care and effort that went
- into developing our North Slope oil fields. Overall we
- 9 did a good job, but I do remember the big battles and
- endless lawsuits aimed at stopping North Slope development
- and construction of the pipeline, which has been for more
- than three decades Alaska's economic lifeline and at one
- point accounted for 25 percent of domestic production.
- Opponents to Arctic energy development back then
- 15 insisted that we couldn't do it safely. There were too
- many data gaps, and much more research would be needed
- before development could possibly proceed. They also
- warned that development would wipe out the caribou along
- 19 with other Arctic wildlife.
- 20 Americans moved forward with development of the
- North Slope oil fields and construction of the pipeline in
- some of the most hostile conditions on the planet. Oil
- changed the face of Alaska's economy for the better.
- 24 The next chapter for oil and gas development in
- 25 Alaska is the Arctic offshore. Development of energy

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- 1 reserves in the Chukchi Sea could refill the pipeline,
- 2 forward with drilling. And so I thank you for looking at create tens of thousands of jobs here in Alaska and the
 - 3 Lower 48, and keep our private sector economy healthy. We
 - 4 have the know-how and technology to explore safely in the
 - 5 Arctic, and industry has been there before, as numerous
 - 6 wells were drilled safely in the Chukchi and Beaufort Sea
 - more than 20 years ago without incident.
 - Lease Sale 193 has undergone rigorous
 - environmental reviews, and this area has become one of the
 - most studied oil and gas basins in America. Industry has
 - invested billions of dollars in the Chukchi Sea leases and
 - preparations to explore. It's now time to move forward.
 - 13 In conclusion, I urge BOEM to finalize the SEIS,

 - 14 reaffirm Lease Sale 193 and allow exploration to proceed.
 - 15 Thank you.

MR. SUNIL SETHI: My name is Sunil Sethi.

Let's face it. Like most of Alaskans, my biggest fear is

an oil spill or a blowout like Macondo in the Gulf of

- 19 Mexico in the Arctic. But we have to ask ourselves: How
- likely is it? Do you believe that 75 percent chance of
- oil spill? I don't. And what alternatives do we have to
- 22 survive with this diminishing onshore oil in the state?
- The other questions that we ask is: Who owns the Arctic?
- 24 The U.S. does not have a monopoly on drilling in the
- 25 Arctic. It is being done by other Arctic nations. If we

3 this in a holistic way and for making your decision that

5 Thank you.

4 way.

MS. KELSI SWENSON: Thank you. My name is

- 7 Kelsi Swenson. I'm here today on behalf of the University
- 8 of Anchorage Sustainability Club. I'm the President, and
- 9 we actually had a meeting today and spoke a little bit
- 10 about this hearing. We just want to say for the record
- 11 that we strongly oppose any drilling in the Arctic.
- 12 Climate change is really our first priority above anything
- 13 else right now. It's going to affect every single part of
- 14 our economy, our culture and the way we live and survive.
- 15 So please do not keep -- do not drill in the Arctic. And
- 16 please follow through with the showing that climate change
- 17 is really what's most important and what's at hand right
- **18** now.
- 19 Thank you.
- 20 MR. CARL PORTMAN: Good evening. My name
- 21 is Carl Portman, and I'm here to testify on my own behalf

23 income tax and lived on a homestead before oil was flowing

- 22 tonight. I am a lifelong Alaskan who has paid state
- 24 down the Trans-Alaska Pipeline. Our state's economy at 25 that time was less than half its current size. We did not

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- 1 don't do it safely, then someone else will and probably do
- 2 it without as much regard to safety and environmental
- 3 protection than the U.S.
- 4 Therefore, I am in favor of the exploration as
- 5 long as it is done safely and with environmental
- 6 protection and keeping in mind the needs of the Native
- 7 Alaskans.
- 8 Thank you.
- 9 MR. BRANDON HILL: Hi. My name is Brandon
- 10 Hill. I'm a Palmer resident, here tonight to advocate for
- 11 vacating these leases in the Arctic. I think you've heard
- 12 pretty overwhelmingly tonight all the great reasons to do
- 13 so. I just want to remind folks that this is much bigger
- 14 than just jobs and much bigger than just money on the
- 15 table that's been spent. This is talking about the
- 16 ecology, the fragile ecology of the circumpolar north, and
- 17 I think that's worth some time.
- 18 So thanks.
- **MR. ERIC BOOTON:** All right. Thank you
- 20 for the opportunity to provide public comment on the
- 21 development of Arctic Outer Continental Shelf Lease Sale
- 22 193. My name is Eric Booton. I'm an Alaskan resident
- 23 living here in Anchorage. Drilling in the Arctic is a
- 24 gamble, and Shell's own program has proven they are not
- 25 prepared for the job. In 2012 their own rig ran aground

- So we have all been here many times. We know
- 2 that there has been a lot of studies, and I think that I'm
- 3 glad we have had a second look at this SEIS because we
- 4 found out a lot of important information. We know just
- 5 about how much risk we would be taking on as Alaskans. We
- 6 can argue about if there is -- what percentage, what
- 7 probability, how much oil. We know there will be spills
- 8 with drilling in the Arctic. How much risk do we want to
- 9 take on as Alaskans?
- I'd say that we need to think bigger than just
- 11 our economy and TAPS. And we need to think about the
- 12 planet and the people who live on it, and you. This is
- 13 also selfish. This is about protecting all of our ways of
- 14 life and making sure that we are addressing climate change
- 15 and pushing beyond using the conventional fossil fuels and
- 16 finding what types of energy sources are going to get us
- 17 out of this web. And we can continue to push and have
- **18** business as usual and drill for another 77 years in the
- 19 Arctic Ocean, or we could have a better future for
- 20 ourselves and our children and our grandchildren and
- **21** everyone on this planet.
- So why are we continuing to come here? Because
- 23 we are finding out more and more and more how dangerous
- 24 and how disastrous this is. We don't have to forget about
- 25 Shell's drill rig running aground, its engines catching

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- 1 near Kodiak. Their Arctic oil spill gear was crushed like
- 2 a beer can during routine testing. And their other rig,
- 3 Noble Discoverer, caught fire in Dutch Harbor.
- The U.S. government recently determined that if
- 5 Shell moves forward with drilling in the Arctic, there is
- $\boldsymbol{6}\;$ a 75 percent chance of a major oil spill. That means that
- 7 if Shell moves forward with drilling in the Arctic, the
- 8 polar bears, whales, other Arctic animals and, most
- 9 importantly, Alaskan Native communities that depend on the
- 10 Arctic Ocean for survival have a 25 percent chance of a
- 11 prosperous future.
- 12 If I walked out of my front door knowing there
- 13 is a 75 percent chance that I may cause harm to others, I
- 14 would willingly choose to stay home. Shell is set up for
- 15 failure in the Arctic. Please stand with those who call
- 16 the Arctic home by vacating the leases in the Chukchi Sea.
- 17 Thank you.
- 18 MS. LINDSEY HAJDUK: Hi. I'll kind of
- 19 orient this way. My name is Lindsey Hajduk. It's a
- 20 tricky name. And I live here in Anchorage. And I've seen
- 21 many folks in this room many times. I feel like we have
- 22 been to a lot of public hearings about whether or not we
- 23 should drill or not drill.
- This is for the closeup. Do you want me to
- 25 stand clear for your blog?

- 1 fire, it limping into Seward and going under criminal
- 2 investigation. That's something that they want to bring
- 3 back. They want to bring the same drill, the Noble
- 4 Discoverer, back. How many times are we going to let this
- 5 happen, and how many times are we going to put ourselves
- 6 at unbearable risk?
- We need to stop. We need to have this
- 8 administration buy back the leases and tell Shell and all
- 9 of the other oil companies that they cannot drill in the
- 10 Arctic Ocean now or in the future.
- 11 Thank you.

12

- MR. MAYNARD TAPP: My name is Maynard
- 13 Tapp. I'm a part owner of a small business, Hawk
- 14 Consultants, founded here in the state of Alaska 30 years
- 15 ago. I have testified supporting Lease Sale 193 and
- 16 similar measures regarding oil and gas production on the
- 17 North Slope, including OCS and ANWR. The stakes are high
- **18** for our national independence and security. It's
- 19 important that Lease Sale 193 be approved. Our nation's
- 20 energy independence and the sustainability of Alaska's
- 21 revenues depend on more production through TAPS.
- 22 According to the State Constitution, we have an
- 23 obligation to develop the state of Alaska's natural
- 24 resources. Within 50 years, the technology may be over --
- 25 may take over the need for oil and gas as the core

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- 1 ingredient for energy production. OPEC and Saudi Arabia
- 2 are not planning to raise the price of oil by cutting
- 3 production, which could hold the price of oil to around
- 4 \$70 a barrel for years. Therefore, we must increase the
- 5 production to make up the difference in our projected
- 6 state revenue deficit estimated at \$44 per barrel for the
- 7 next number of years until we can get our budget under
- 8 control.
- **9** Therefore, we have both a short-term and
- 10 long-term need for Alaska oil and gas supplying energy to
- 11 our nation and revenue for this state. Each time we
- 12 extend the time for delivery of this resource, we increase
- 13 the overhead costs for delivery, which reduces profits and
- **14** incentives to produce. Please stop studying and start
- 15 producing the oil in Lease 193.
- Also want to thank you guys for that very
- 17 informative presentation you made. We see you a lot. We
- 18 will probably see you again. Thanks very much.
- One other thing: Regarding global warming, I
- 20 think it started about 13,000 years ago when we started
- 21 getting away from the Ice Age, and it wasn't caused by
- **22** man.
- **DR. JIM KENDALL:** Senator, the floor is
- 24 yours, and afterwards we are going to take a ten-minute
- 25 break to get our court reporter to just chill for a few

- 1 can get their education.
- 2 Production will generate significant government
- 3 revenue at a time of continued economic uncertainty at
- 4 home and turmoil abroad. Steps must be taken now to
- 5 ensure that we have access to energy resources in the long
- 6 term so that all Alaskans and Americans will benefit from
- 7 the security of a stable supply of domestic fuel for
- 8 decades. For that reason, I strongly support the
- **9** affirmation of Lease Sale 193.
- 10 Upon conclusion of this public comment period, I
- 11 respectfully request that BOEM quickly finalize the SEIS
- 12 and allow leaseholders to move forward with planned
- 13 exploration and production activities. I appreciate
- 14 BOEM's attention to this important matter and look forward
- 15 to safe, responsible energy production in the Chukchi Sea.
- 16 Thank you.
- **DR. JIM KENDALL:** Thank you, Senator. And
- 18 we are going to take a ten-minute break, a ten-minute
- 19 break only. I'm going to go by the clock. So please,
- 20 let's go off record now for ten minutes and ten minutes
- **21** only.
- 22 (A break was taken.)
- **DR. JIM KENDALL:** All right. Let us
- 24 start. I'm glad everyone got to their seats really quick.
- 25 We have got about 18 more names to go. We have got to get

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- 1 minutes. Senator, the floor is yours.
- 2 SENATOR CATHY GIESSEL: Thank you. Good
- 3 evening. I'm State Senator Cathy, C-A-T-H-Y, Giessel,
- 4 G-I-E-S-S-E-L. I represent Senate District N. I'm the
- 5 chair of the Senate Resources Committee, and I'm a
- 6 commissioner on the Alaska Arctic Policy Commission. I'm
- 7 also a lifelong Alaskan.
- 8 I want to echo what you heard from Mr. Portman
- 9 about the changes that have happened economically in our
- 10 state since statehood and while I have been here, too
- 11 through those years.
- Lease Sale 193 has undergone exhaustive
- 13 environmental review, and BOEM has once again recognized
- 14 that exploration can be done with minimal economic --
- 15 minimal environmental impact to the ecosystem of the
- 16 Arctic. Oil and gas development in the Chukchi Sea can be
- 17 done safely, and it's time to affirm Lease Sale 193.
- **18** Allowing exploration to proceed is vital so all Alaskans
- 19 can fully recognize the energy and economic benefits that
- 20 increased domestic energy production affords.
- 21 Offshore oil and gas is strongly supported by
- 22 the people of Alaska. You have heard that. And it
- 23 increases the production of our nation's overall energy
- 24 security. It's also a boom for job creation and, by the
- 25 way, funds our universities where these nice young people

- 1 out of the room by 10:00. I don't know what the weather
- 2 is now, but they said at about 9:00 it was starting to get
- 3 worse. So let's make sure everybody gets home safe and
- 4 that you all get a chance to say your piece.
 - MR. TOM LAKOSH: Thank you. My name is
- 6 Tom Lakosh, L-A-K-O-S-H, for the record. My address and
- 7 so forth has been previously submitted to BOEM.
- 8 I'd like to request that the final EIS call for
- 9 the vacating of the lease sales due to the inability to
- 10 provide for an environmentally responsible development.
- 11 Unless and until the ability to fully mitigate the impacts
- 12 of oil spills are demonstrated to a certainty and, I
- 13 believe, although there have been many heartfelt arguments
- 14 both for and against the development either on emotional
- 15 or economic rationales, that it is ultimately the rule of
- 16 law which must guide and determine whether these lease
- 17 developments will go forward.
- And I think it's -- given the new findings in
- 19 this Second Draft Environmental Impact Statement or
- 20 supplemental impact statement that the likelihood of a
- 21 spill now being greatly increased demonstrates that there
- 22 will have to be full mitigation of any spill in order to
- 23 meet your mandate of environmental responsibility. And
- 24 that certainly has not been demonstrated and has been
- 25 directly contradicted particularly by our nation's

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- 1 foremost scientists and the Academy of Sciences, which has
- 2 recently published an exhaustive study on the futility of
- 3 oil spill response in the Arctic.
- 4 Having studied this greatly myself and presented
- 5 prior written testimony on both the Chukchi lease sale and
- 6 the Beaufort lease sales, I ask that those written
- 7 documentations be incorporated into the record, along with
- 8 the prior testimony of The Wilderness Society and George
- 9 Gunner as supporting the aforementioned vacating of the
- 10 leases. I request that your final EIS provide for an
- 11 analysis of -- a full analysis of these comments and that
- 12 there be conclusions of a finding of fact and conclusions
- 13 of law stated in your final EIS in response to those
- 14 comments to ascertain whether or not there is sufficient
- 15 basis of those comments inured to those comments and that
- 16 there is, in fact, justification under your mandates to
- 17 proceed or vacate the lease sale.
- And I would state that the demonstrated
- **19** methodology for responding to spills even under the most
- 20 propitious conditions, as I mentioned in our Cook Inlet
- 21 lease sale -- which I would request that the notes taken
- 22 thereof in your scoping session last week, that those
- 23 notes also be incorporated into my comments herewith,
- 24 published and responded to in your final EIS -- that
- 25 the -- under the most propitious circumstances, oil spill

- 1 building the infrastructure up there for what needs to be
- **2** there for oil spill response.
- There has never been a blowout in the Alaskan or
- 4 Canadian Arctic. Since 1971, 84 wells have been drilled
- 5 in the Alaska OCS, all without incident. For drilling
- 6 planned in the Chukchi, the water depth is rather
- 7 shallow -- several hundred feet -- and is akin to the
- 8 nearshore shallow water Gulf of Mexico where safe drilling
- **9** practices have led to a long history of safe operations.
- 10 The North Slope and its offshore are now perhaps the most
- 11 studied energy basins in the United States. In the past
- L2 decade, over 250 studies have been funded in the Arctic,
- 13 with the majority focused on the Beaufort and Chukchi
- 14 Seas.
- Since 2005, 680 leases have been awarded to
- 16 companies interested in exploring for oil and gas off the
- 17 Alaska coasts. Despite years of applications for permits,
- 18 community consultation, environmental studies and
- **19** analysis, and more than 3 billion dollars in bonus
- 20 payments to the federal government and investment in
- 21 technology, equipment and personnel, not one well has been
- 22 drilled to hydrocarbon depth as a result of Lease Sale
- **23** 193.

10

- The lease sales were sold only after exhaustive
- 25 environmental analysis. When the federal government

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- 1 response methodology used to determine the efficacy of oil
- 2 spill response equipment was overestimated by a factor of
- 3 271 in the Gulf of Mexico and that there -- the ability of
- 4 spill response equipment to provide the expected level of
- 5 spill containment and recovery is going to be hindered by
- 6 a much greater degree by the conditions in the Arctic.7 Thank you very much for the ability to comment.
- 8 MS. FRANCY BENNETT: My name is Francy
- 9 Bennett, and I grew up in rural Alaska and experienced the
- 10 hardship of life out there and understand why Rex Allen
- 11 Rock, the President of the Arctic Slope Regional
- 11 Rock, the Freshdent of the Arctic Stope Regional
- 12 Corporation, was expressing his extreme frustration at the
- 13 latest Resource Development Council meeting for
- 14 environmental groups using the Arctic as their poster
- 15 child, and he requested that before they do that, that
- 16 they actually talk to the people in the region and talk to
- 17 the leadership of the Arctic Slope Regional Corporation
- 18 because they would like to see -- and I'm sure you will
- 19 hear from him when you go up to Barrow.
- They would like to see drilling. They would
- 21 like to see it for a number of reasons. One, it would be
- 22 more income for them. But most importantly, it would be
- 23 an opportunity for their -- their shareholders to have
- 24 jobs, specifically in oil spill response situations and in
- 25 helping with the building and such -- with -- helping

- 1 awards a lease sale and accepts payment, it has an
- 2 obligation to efficiently process permits within a
- 3 reasonable time period. And in February 2008, a lease
- 4 sale on tracts of the Chukchi netted taxpayers more than
- 5 2.6 billion dollars in bonus bids. It was quite a take,
- 6 especially since the Department of Interior expected to
- 7 only receive 67 million before the auction took place.
- 8 Finally, I just want to urge you to quickly
- **9** approve the Lease Sale 193. It's time.

MR. JOSHUA KINDRED: Good evening. My

- 1 name is Joshua Kindred. I serve as the legal and
- 12 regulatory affairs manager for the Alaska Oil and Gas
- 13 Association, whose 14 members account for [indiscernible]
- 14 development and production in Alaska. I prepared comments
- 15 to deliver today touting the economic benefits of Arctic
- 16 OCS development. I think Mr. Portman and Ms. Seneca has
- 17 already covered a lot of those points.
- But I would like to address a lot of the
- 19 concerns I've heard from I guess what we could call the
- 20 opposition. The first is the suggestion that because this
- 21 has never been done before, it can't possibly be done
- 22 safely in the future. And as you just heard, since 1971,
- 23 84 wells have been drilled in the Arctic OCS, each and
- 24 every one without incident, each and every one lacking the
- 25 technological innovation that we possess today.

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- Another argument that I've heard made is this
- 2 idea that there is a lack of studies. There is a lack of
- 3 science. And as just reiterated, over 250 studies have
- 4 been conducted in the past decade alone on the Arctic
- 5 region, the vast majority which focused on the Beaufort
- 6 and Chukchi Seas.
- And finally, a lot of this discussion suggests
- 8 that this is a binary decision to be made by Americans,
- 9 this idea of whether or not the Arctic OCS is developed.
- 10 Nothing could be further from the truth. No matter what
- 11 happens after tonight, the Russians are going to develop
- 12 their Arctic OCS. The Canadians are going to develop
- 13 their Arctic OCS. We're going to see an exponential
- 14 increase in maritime traffic. And right now if we don't
- 15 support our own development, we are going to be naked. We
- 16 are not going to be able to respond to this increase in
- 17 risk. We lack the informational infrastructure. We lack
- the physical infrastructure. And we lack the emergency
- 19 response systems, all of which will come with oil and gas
- 20 development in the Alaska Arctic OCS.
- 21 So it may seem counterintuitive to many of those
- 22 probably holding black plastic gloves above their heads
- 23 behind me, but the best way to make sure that the Arctic
- **24** OCS is safe is to make sure that the infrastructure is
- 25 there.

- 1 safely set it up. They can't safely move their drill rigs
- 2 around. I'm -- I believe that through the studies that we
- 3 have done so far and of which there are enough to show
- 4 that this cannot happen safely, effectively, with the
- concerns of safety and environmental work in mind.
- 6 The citizens both here in Anchorage, across
- Alaska, in the Lower 48 and in the North Slope do not want
- to be dealing with the potential impacts and oil spills
- that this industry would be causing.
- Seventy-five percent chance of a major oil spill
- 11 is too much. In what -- in what industry would we allow a
- 75 percent chance of a major problem that would impact
- wildlife, communities? Ask folks in the Gulf Region -- in
- 14 fact, we did -- what they would think of those numbers.
- And they would say to go somewhere else. This is not the
- right place for this industry. This is not the right
- place to begin to drill. It's time to vacate these
- leases, and please consider that option.
- Thank you. 19
- 20 MS. DARCIE WARDEN: Good evening. Thank
- 21 you for the opportunity to voice my opinion and testify
- 22 before you tonight. My name is Darcie Warden. I work for
- the Alaska Wilderness League. I'm based in Fairbanks,
- **24** Alaska. And I also want to acknowledge the audience.
- 25 Thank you all for being here tonight. I really appreciate

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1 everything that everyone has to offer.

- And there are so many things to say about Lease
- Sale 193, and so many people have said those things. And
- what I'd like to do is explain the black glove because for
- me this is about future generations. This is about
- 6 keeping our environment safe for the animals and for
- people. This is a human issue. And when I raise my black
- 8 glove, I'm saying that I care about my son and I care
- about the future generations, and I'm not going to have
- oil on my hands, not for this. So that's what this is
- 11 about, because I care. And I know everyone else cares
- 12 here, too.

13 But we have to think about the long-term impact.

- 14 And 75 percent chance of an oil spill is not okay. And
- what it says as to me is that it's going to happen. And
- what that says to me is that my friends who live up north
- who rely on those resources, who are the people who they
- are because of those resources, if they are lost, people

will be lost. That's not on my hands. I'm fighting that.

- 20 And that's what I'm asking for you guys. No
- 21 dollar amount is big enough to be able to take care of
- 22 that. It doesn't exist. We can't clean up the oil, not
- 23 in Arctic conditions, not in the Gulf of Mexico, not in
- 24 the Gulf of Alaska. It hasn't been done. So I'm just
- 25 asking BOEM to err on the side of caution. That oil is

Thank you for your time.

1

MR. GREG HORNER: Thank you, Dr. Kendall.

- 3 Good evening. My name is Greg Horner. I'm providing
- 4 testimony as a representative of Shell Gulf of Mexico,
- 5 which purchased its leases in the Chukchi Sea in Lease
- 6 Sale 193. Shell appreciates the opportunity to voice its
- 7 support of BOEM's Second Draft SEIS for Lease Sale 193. 8 And Shell encourages the agency to continue its work to
- 9 produce a Final Second EIS that addresses the Ninth
- 10 Circuit decision. Shell also urges BOEM to adhere to the
- 11 timeline it provided the Court in the Lease Sale
- 12 litigation and to ultimately reaffirm Lease Sale 193.
- 13 Thank you.

14 MS. LAURA COMER: Yeah, I'm up here. I

- mean, I represent myself, but also I think just the future
- of Alaska and the folks who are growing up here, moving up
- here, raising families here. My concern is a lot of what
- the man two before me just mentioned about putting in all
- 19 of this infrastructure and getting those -- the presence
- 20 of the Coast Guard and the ability for local residents to 21 respond to the spill. I don't think that that should fall
- 22 on Alaskans to have to pay for those resources and that
- 23 protection.
- Shell has shown throughout the entire length of
- 25 2012 that they can't even safely explore. They can't even

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- 1 not going anywhere. It's there. And there is no reason2 we have to rush.
- 3 MS. DA BIN LEE: Hello. My name is Da Bin
- **4** Lee, and I just have a short statement. I'm a student at
- 5 the University of Anchorage, Alaska, and I'm also a member
- 6 of the UAA Sustainability Club. And as a member, I speak
- 7 for all of us that we don't support this drilling, and we
- 8 support sustainable energy as well as sustainable jobs.
- **9** Thanks. Bye.

MS. MARLEANNA HALL: My name is Marleanna

- 11 Hall. Good evening, and thank you for the opportunity to
- 12 be here. I'm here to comment in support of finalizing the
- 13 SEIS for Lease Sale 193 and allowing exploration
- 14 activities to move forward.
- As a lifelong Alaskan, I know and appreciate
- 16 what the oil industry has done for our economy, as well as
- **17** for our nation. I believe that offshore exploration
- 18 offers opportunity, not only to learn more about the
- 19 resource potential, but to also better train people for
- 20 future activities, both in Alaska's OCS and in the Arctic
- 21 in general.
- The potential for Alaskan jobs and possibilities
- 23 of contracts for Alaskan businesses should not be delayed
- 24 any further. Exploration and development could provide
- 25 businesses, such as my Native corporation, Bering Straits,

- 1 purpose of collecting subsistence resource use data for
- 2 the Alaska Department of Fish & Game. And I'd like to
- 3 emphasize very clearly that right now I'm speaking solely
- 4 on my own behalf and do not in any way represent the views
- 5 of Alaska Fish & Game or any resident of the affected
- 6 region.
- 7 During my visits to the Northwest Arctic region,
- 8 I've seen the very large extent to which local residents
- 9 depend on maritime resources, particularly marine mammals.
- LO Many residents of Western Alaska from whom I've solicited
- 11 comments have expressed concern about various
- 12 environmental factors already affecting and threatening
- 13 their marine resources, as well as concerns about the
- 14 potential for oil and gas development. When marine
- 15 resources change in availability or quality or when they
- 16 show signs of contamination, residents often have little
- 17 recourse to other kinds of food. Store-bought food is
- 18 very expensive and its nutritional value is far inferior
- 19 to that of Native foods. Most households depend on the
- 20 region's local subsistence resources, and a 75 percent
- 21 chance of a large oil spill poses an unacceptable level of
- 22 risk to the region's most important food source.
 - Pound for pound, caribou also play an extremely
- 24 important role in fulfilling nutritional requirements for
- 25 residents of the Northwest Arctic and North Slope.

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- 1 chances to bid on jobs and projects advancing OCS
- 2 development. Not only that, but these small pieces of
- 3 larger projects like the OCS can help rural and urban
- 4 Alaska in both the long and short term. In rural Alaska
- 5 where good-paying jobs are often scarce, an opportunity to
- 6 find and train and employ Alaskans and shareholders of
- 7 Native corporations will go a long way, not just one
- 8 generation, but many more to come. And these advancements
- 9 can help people learn ways to make it safer.
- 10 I'm concerned that resource development in
- 11 Alaska will continue to be attacked by groups opposed to
- 12 development anywhere, but those same opportunities will
- 13 still move to other countries, some of which don't strive
- 14 to protect the environment as we do in Alaska. I believe
- 15 that if it's going to be done here in Alaska, it will be
- 16 done right.
- 17 I encourage the BOEM to act now and finalize the
- 18 SEIS for Lease Sale 193, and I thank you for the
- 19 opportunity to comment today.
- 20 MR. ODIN MILLER: Good evening. My name
- 21 is Odin Miller, and I'm a lifelong resident of Alaska.
- 22 And I'm here this evening to encourage BOEM to vacate the
- 23 lease sales. I've had an opportunity to travel to a few
- 24 villages in the Northwest Arctic Borough and to dozens of
- 25 others throughout Western Alaska, primarily for the

- 1 Unfortunately, the Western Arctic caribou herd is
- 2 currently undergoing a major crash, and harvests will soon
- 3 become far more heavily restrictive than they have been.
- 4 The last time the Western Arctic caribou herd crashed in
- 5 the '30s and '40s, residents of some parts of the
- 6 northwest didn't see caribou again till the '90s. So this
- 7 crash will likely increase the dependence of residents on
- 8 marine resources for at least several decades due to the
- 9 unavailability of caribou.
- And worldwide caribou and reindeer populations
- 11 have declined dramatically during the past several decades
- 12 significantly due to the fragmenting of their habitats by
- 13 roads, pipelines and other infrastructures. And a number
- 14 of Alaska's caribou herds are currently in decline. And
- 15 I've heard residents of Kotzebue mention that the road
- 16 between Kivalina and the Red Dog Mine has already had a
- 17 significant impact on the migration patterns of the
- 18 Western Arctic caribou herd. So just imagine how much
- 19 more of an impact a pipeline across much of the North
- 20 Slope, the entire National Petroleum Reserve, would have
- 21 toward further fragmenting caribou habitat.
- Thank you.
- 23 MR. RICK ROGERS: Thank you. Good
- 24 evening. My name is Rick Rogers. I'm the Executive
- 25 Director of the Resource Development Council, RDC. RDC is

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- 1 a statewide multi-industry trade association. We
- 2 represent oil and gas, mining, fisheries, tourism and
- 3 forestry. And we believe in the responsible development
- 4 of Alaska's resources, and we don't believe that we are
- 5 faced with the false choice that it's either/or. We
- 6 believe we can have both. We can have a healthy
- 7 environment and a healthy economy.
- 8 I think one of the disadvantages of going late
- 9 in the evening is a lot of people have already said what I
- 10 wanted to say, but I'm here to support Lease Sale 193.
- 11 It's undergone substantial environmental review over --
- 12 it's probably one of the most studied places on the
- 13 planet. And once again, in the supplemental EIS, BOEM has
- 14 acknowledged that exploration can take place offshore in
- 15 the Chukchi with minimal environmental impact.
- I think we have to put this in a little bit of
- 17 perspective. I had the opportunity to go out on a
- 18 platform in Cook Inlet this summer that had been operating
- 19 for about 50 years, and it's still producing oil. It's
- 20 still producing gas. It's producing gas. It's probably
- 21 keeping us warm in this room right now. Yet in Cook Inlet
- 22 we have healthy subsistence and commercial and sport
- 23 fisheries, salmon resources, beluga whales. It's a real
- 24 treasured environment. So these aren't mutually exclusive
- 25 choices we have to make. We just have to be smart about

- 1 likelihood of a spill is so great, I strongly oppose this
- 2 lease sale.
- 3 Thank you.
- 4 MR. RYAN ASTALOS: Hello. My name is Ryan
- 5 Astalos, and I want to thank you for taking the time to
- 6 hear what the public has to say regarding oil and gas
- 7 development in the Arctic. As a young biologist, a
- 8 resident of Anchorage, I am concerned about the threats
- 9 that drilling has on this delicate ecosystem. A rapid
- 10 human-induced climate change already threatens the Arctic
- 11 wildlife. We have seen this when 35,000 walruses arrived
- 12 on a beach near Point Lay due to the lack of sea ice.
- 13 With a 75 percent chance of an oil spill occurring, it is
- 14 not a matter of if; it is a matter of when. So when this
- 15 oil spill does occur, we are left with the unbalanced food
- **16** webs, wildlife population declines, and a devastated
- 17 environment.
- .8 I understand the need for oil and gas
- 19 extraction, and that was displayed on my drive over here.
- 20 However, these drilling efforts are not suitable for the
- 21 Arctic Ocean. It is easier to protect than it is to
- 22 perform an ineffective, costly oil spill cleanup effort.
- Thank you again for hearing what I have to say.
- 24 And I want to leave with you this quote. "When all the
- 25 trees are cut down, when all the animals are dead, when

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- 1 how we do it.
- I think BOEM has done a thorough job in
- 3 evaluating the risks. I think other speakers before me
- 4 have spoken about the benefits. And finally I just want
- 5 to point out that whether or not we develop Lease Sale
- **6** 193, the Russian oil and gas exploration multinational
- 7 company Rosneft is preparing to drill less than 100 miles8 from this lease sale. I'm far more concerned about the
- 9 impacts of their activities than ours, and I would hope we
- 10 would get out there first, set an example for the rest of
- would get out there first, set all example for the fest of
- 11 the world and rest of the Arctic and perhaps lead through
- 12 example.
- 13 Thank you.
- 14 MS. HOPE MEYN: Hi. Thank you for hearing
- 15 my testimony. My name is Hope Meyh. I'm a
- ${\bf 16}\;$ born-and-raised Alaska resident. As a UAA student and a
- 17 member of the UAA Sustainability Club, one of those young
- **18** people Senator Giessel mentioned. It is our future that
- 19 the consequences of this lease sale will affect. As many
- 20 before me have stated, a 75 percent chance of a spill is
- 21 absurd. As a UAA double major in aviation technology, I
- 22 have to point out if there was a 75 percent of an airliner
- 23 crash every time you got on an airline, the FAA would be
- 24 made a laughing stock, despite its economic importance.
- 25 So why would this risk be acceptable here? If the

- 1 all the waters are poisoned, when all the air is unsafe to
- 2 breathe, only then will you discover you cannot eat
- 3 money."

5

- 4 Thank you.
 - MR. KEITH SILVER: Good evening. My name
- 6 is Keith Silver. I'll keep my comments brief. The Bureau
- 7 of Ocean Energy Management should expeditiously finalize
- 8 Supplemental Environmental Impact Statement for Lease Sale
- 9 193, reaffirm the Lease Sale 193, and allow exploration
- 10 activities to proceed. When the federal government awards
- 11 a lease and accepts payment, it has an obligation to
- 12 efficiently process the permits within a reasonable time
- 13 period.
- 14 Chukchi oil and gas resources are key to
- 15 sustaining the Trans-Alaska Pipeline System, TAPS, and
- 16 protecting U.S. energy security. And as mentioned before,
- 17 a 2014 poll found that 73 percent of voters in Alaska
- 18 support OCS development. Moreover, revenues generated
- 19 from the development of Chukchi and Beaufort and natural
- 20 resources -- natural gas resources could amount to 193
- 21 billion in revenues to federal, state and local
- 22 governments over a 50-year period to help balance the
- 23 budget and foreign trade deficit, as well as to help pay
- 24 for university students.
- 25 Finally, this is also a security issue. Our

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1 neighbors to the west, Russia, are moving ahead with
2 drilling. Current diplomatic relations are at best
3 described as strained. We do not need to give them an

- 4 advantage.MS. ASHLEIGH ROE: Hello. My name is
- **6** Ashleigh Roe. I was born and raised in Kodiak. In 2012 I
- 7 was in high school still, and I remember the Kulluk that
- 8 was grounded in the southern area of the island. This was
- 9 a huge problem because every day I remember driving to
- 10 school and wondering, is there going to be oil today
- 11 spilled all over the harbor. The currents coming up from
- 12 the south move fast, so it can affect Kodiak City very 13 swiftly.
- 13 SWITTIY.
- Also, while Kodiak has had 20-plus years of
- 15 training from the Coast Guard for free, this is not enough
- 16 to prevent or contain any oil spills. And even though
- 17 Kodiak has a Coast Guard and the Coast Guard does go
- 18 around the state, there is no base in the Arctic for any
- 19 training to be had up there. Our closest base now, I
- 20 believe, is St. Paul Island. That is far south. And I
- 21 strongly oppose any oil drilling in the Arctic.
- Thank you.
- 23 MS. CAROLINE HIGGINS: Thank you. My name
- 24 is Caroline Higgins. I'm a 41-year Alaska resident, a
- 25 small business owner. I have children who live in the

- 1 opportunity in other venues outside of Alaska or to make
- **2** written testimony. And so I have a little bit of angst
- 3 with some of our time as Alaskans who came here and stood
- 4 in this room being taken by people that don't live here.
 - Thank you.
- **DR. JIM KENDALL:** I have been told that we
- 7 have no more names in the hat. However, we still have
- 8 about 30 minutes. I want to make sure everybody has a
- 9 chance to be heard. So what I can do is if people want to
- 10 line up at the microphone, I will keep it going for 30
- 11 minutes only. But please limit your comments to two
- 12 minutes. We need your name and two minutes to make sure
- 13 everybody has a chance.
- 14 UNIDENTIFIED MALE SPEAKER: What if you
- **15** already testified?

18

- **DR. JIM KENDALL:** You're welcome to come
- 17 back and state your name and do it again.
 - UNIDENTIFIED MALE SPEAKER: If there's
- 19 somebody who hasn't testified, I'll be glad to defer.
- **DR. JIM KENDALL:** Two minutes. And we're
- 21 wasting time here. And two minutes. If someone else
- 22 wants to line up and make a comment, that's fine.
- 3 MS. SUZANNE SCHAFER: I've got to make an
- 24 example for my daughter. She's sitting in the audience.
- 25 She actually would certainly like to testify, having heard

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- 1 state, grandchildren soon to live in the state, and I care
- 2 very much about the environment and our economy.
- 3 I'm here tonight to speak in support of the
- 4 Draft Supplemental Environmental Impact Statement on the
- 5 Lease Sale 193. Over the past several years I've
- 6 testified in support of this lease sale, and I certainly
- 7 hope this is my last time to have to do this. I'm not
- 8 going to repeat the details supporting the lease sale.
- 9 I'm not going to expound on the exhaustive environmental
- 10 review, the economic benefits, or the enormous potential
- 11 and the overwhelming support of the majority of Alaskans
- 12 or why it's important to TAPS sustainability. All those
- 12 of why it's important to TAFS sustamability. An those
- 13 have been presented by others before.
- What I will say is that the United States is an
- **15** Arctic nation. And the reaffirmation of this lease sale
- **16** is critical to preserving America's opportunity to explore
- 17 and develop Arctic resources. The Arctic is an economic
- 18 opportunity for America, and we should be a leader in
- 19 economic Arctic development, not a follower. So I urge
- 20 swift finalization and reaffirmation of the lease sale.
- 21 I also have one additional comment regarding
- 22 some of the comments that were made tonight. Two of those
- 23 came from people who were outside of Alaska, and it was my
- 24 understanding that these hearings here are for Alaskans to
- 25 provide testimony. Those individuals certainly have the

- 1 both sides. Sorry. It's kind of an emotional experience
- 2 for me to do this for her right now and for everybody else
- 3 in the room. And I just can't sit there and not say
- **4** something based on everything I've heard.
- 5 My name is Suzanne Schafer. I'm a resident of
- 6 Alaska for going on 11 years. It's a bittersweet
- 7 relationship that I love and hate. I'm sure everybody can
- 8 agree with me there.
- 9 I am actually a little bit aggravated at the
- 10 fact that people think that this is a competition to get
- 11 there before Russia or anybody else and do it better and
- 12 more right. The fact is is that it is not right. Can we
- 13 please make a competition maybe on how to develop
- 14 renewables. We have energy resources that are so natural
- 15 and so powerful that if we can think of the technology to
- 16 harness them, then that's where we should be competing.
- 17 That's where we should be spending billions of dollars, on
- 18 new innovative ideas that are going to continue for
- 19 centuries beyond, that we don't dig like dogs for
- 20 everything. You know dogs go and bury everything and then
- 21 they dig them up. Are we here as dogs or are we here as
- 22 intelligent human beings that have been graced with the
- 23 power of the intelligence to come up with new ideas that I
- 24 know it's really a risk to -- to veer from things that are
- 25 so secure or what is so economical for the time, but

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- 1 what's economical for the future is to look to renewables.
- 2 A very good example of one is hydrokinetic
- 3 electricity. The infrastructure is going to be very
- 4 difficult to place; however, I believe these are the types
- 5 of energy sources that we should be teaching our children
- 6 to develop. And Lilly, I love you very much.
- And thank you for sharing this time with me.
- 8 DR. JIM KENDALL: Okay. Again, I'll open
- 9 the floor up but, you know, I'd like to limit it to two
- 10 minutes at a time. State your name. Give you your two
- 11 minutes, and we'll see if there is anybody else.
- **MR. TOM LAKOSH:** My name is Tom Lakosh, in
- 13 continuation of my prior testimony. The legal standard
- 14 that has to be met is whether you comply with the
- 15 endangered -- whether a spill that creates what you now
- 16 say is more probable than not, that the spill is -- the
- 17 spill analysis is conducted in accordance with OPA 90 and
- **18** NEPA.
- That first has not been done even in this
- 20 revised SEIS in that it doesn't analyze the impacts to
- 21 endangered and protected species that may be affected
- 22 under a worst case discharge scenario. That is what has
- 23 to be done.
- We are not sure of the reservoir pressures that
- 25 may be involved here. We could have another

- 1 any demonstrated method of providing the encounter rates
- 2 that are necessary to actually contain, control and
- 3 recover oil spills generally in open ocean conditions, and
- 4 much less so under conditions where broken ice or pan ice
- 5 may obstruct the detection tracking and recovery of the
- **6** oil.
- 7 I got time?
- **DR. JIM KENDALL:** I want to see if anybody
- 9 else has the opportunity to speak. This is the second
- 10 time. Did anyone else want to speak? We have some time
- 11 here. I don't want one person to take it all. Miss, you
- L2 were going to say something?
 - **MS. LEA MERRITT:** I do have something. I
- 14 was going to come up and say one more thing. But I don't
- 15 mind if he keeps talking after that. I like the voice
- 16 he's making.
- **DR. JIM KENDALL:** Please. We have some
- 18 time here, so I want to make sure everybody has an
- 19 opportunity to get their point across. Again, the
- 20 document is not a decision document. It is informational
- 21 only to the Secretary of the Interior.
- MS. LEA MERRITT: My name is Lea Merritt.
- 23 I have been a lifelong Alaskan. I was born here, and I've
- 24 lived all but one of my years here. I went to UAA. I
- 25 graduated from UAA in psychology, and I was part of lots

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- 1 60,000-barrel-per-day spill as happened with Macondo. We
- 2 don't know how quickly a relief well can be drilled that
- 3 was ultimately the only thing that stopped the Macondo
- 4 well.
- 5 We have not had a demonstrated well capping
- 6 system. The one that was supposedly tested failed. It
- 7 has not been demonstrated to work under any circumstances.
- 8 So it must be assumed that that spill that happens under
- 9 worst case discharge does affect endangered species, polar
 10 bears, speckled eiders, Steller's sea lions, Steller's
- 11 eiders, the -- I believe there is at least one, if not
- 12 more, seals that are now considered either threatened or
- 13 endangered.
- L3 endangered.
- So that it is beyond the regulatory authority of
- 15 BOEM to allow development under circumstances which could
- **16** cause the decline of these species to an irreparable level
- 17 and/or cause their extinction. Polar bears, if I didn't
- 18 mention.
- So we must assume that without the ability to
- 20 track oil spills in Arctic conditions, we don't -- do not
- 21 have laser floor sensors. We do not have UAVs or ROVs
- 22 that can detect and track oil under the ice, nor the
- 23 ability to track oil in broken ice. All previous efforts
- 24 to track spills in Cook Inlet ice have failed, whether
- 25 they be product spills or crude spills. We have not had

- 1 of clubs and all that.
- 2 So what I've continually seen in Alaska is they
- 3 talk about it being economical to use all the resources
- 4 right now, and they don't use it very effectively. It's
- 5 like if you took all of your gas that was stored up for
- 6 the winter and you burned it all on New Year's and you
- 7 didn't have anything for spring. And that's what we are
- 8 talking about right now. You need to drill right now when
- 9 actually these resources might be very needed in the
- 10 future, something that our future generations actually
- 11 need when there aren't any more oil reserves because we
- **12** are draining them right now.
- And the people I know who live in the area where
- 14 this is going to be drilled out, what they do with the
- 15 money, they are buying enormous trucks and using more of
- 16 that and then telling us that that isn't being good. I
- ${f 17}\,$ know them because they are our friends. And I don't mean
- 18 to be rude, but I think that it's time to have a more
- 19 long-term view of our resources as stewards of our
- 20 resources. That's it.
- And we don't use it. We are continuing to use
- 22 our resources to build unsustainable things. We haven't
- 23 got public transportation that's working well. We
- 24 certainly have the technology for that. We are not using
- 25 our money for that. Instead we're building highways that

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- 1 crumble in earthquakes. We have bridges that fail, dams
- 2 that fail and cause all kinds of economic ruin and we're
- 3 not doing anything to make them safe or -- we've got all
- 4 kinds of technology. We are still not using them. And
- 5 they are right in the process of being developed
- 6 without -- no need to use this now. We can do it later,
- 7 and we will probably need it later.
- DR. JIM KENDALL: Thank you. Anyone else?
- MR. TOM LAKOSH: Again, my name is Tom
- 10 Lakosh, continuing my comments. To the extent that there
- 11 is any question about the ability to mitigate spills and
- 12 prevent violation of the Endangered Species Act or the 13 Marine Mammal Protection Act, the ANILCA which guarantees
- 14 the right of Native peoples to maintain their subsistence
- 15 lifestyles and culture, there is clearly going to be, if
- 16 this oil spill occurs with -- unmitigated due to a lack of
- 17 effective technology, a violation of OPA 90, which demands
- immediate and effective spill response. That the EIS --
- 19 final EIS recommend that the environmental toll that would
- 20 result from an unmitigated spill at this point in concert
- 21 and as supported by the National Academy of Science report
- 22 on the subject, would necessarily engender a finding of
- 23 excessive environmental impact and a suggestion for
- 24 vacating the leases at the present time and withholding
- 25 any further lease sales in the area unless and until the

- 1 When you lease something on the North Slope that
- 2 requires a marine fleet to access that, you must -- you
- 3 must acknowledge an environmental impact from that fleet
- 4 throughout the regulated area. And that includes areas
- throughout Alaska waters where there is presently an
- inability to respond in accordance with OPA 90
 - regulations.
- And the Coast Guard has provided a waiver under
- 9 a fictitious authority called a remote areas policy which
- allows them to issue alternative planning criteria, which
- is a de facto waiver of the rights to equal protection
- under the law of Alaskans that are designed to protect
- individual interests and the resources which are held in
- 14 trust by -- by BOEM and the other federal agencies; that
- you need to ask NOAA to come in and analyze whether the
- regulatory enforcement by the Coast Guard is consistent
- with both industry standards for analyzing the
- effectiveness of oil spill response equipment in severe
- sea states and in ice conditions and whether that happens
- throughout the -- the course tracks of those fleets that
- must traverse a wide area where there are other endangered
- species which could be subject to oil spills like from the
- 23 Kulluk that ended up on a beach bouncing around with
- 24 everybody holding bated breath to see if it was going to
- 25 spill. It's 200,000 gallons of diesel. And there was no

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- 1 technology can be provided by the lessee to mitigate oil 2 spills in accordance with OPA 90 and the other laws which
- 3 must require that oil be excluded from the critical
- 4 habitats of these endangered species.
- 5 There is no right for any taking, particularly
- 6 one to an extinction level so that you must be -- ensure a
- 7 demonstrated capability of mitigation of an oil spill
- 8 which has a probability higher than not of occurring
- 9 during the lifetime of the lease sales and development
- 10 over the lifetime of the -- of the lease sale.
- 11 Now, in addition, my comments -- my prior
- 12 comments, which I hope you will review again, also address
- the problem of violation of law by lessees beyond their
- 14 leaseholdings.
- 15 In these the oil -- the oil exploration fleets
- 16 have -- do not have oil spill contingency plans that are
- legitimate. They -- the Coast Guard has allowed Shell to
- contract Alaska Chadux through the vast majority of their
- 19 transit through Alaska waters and Alaska Clean Seas; to
- 20 some extent, I guess, the SEAPRO in Southeast, but these
- 21 are not ocean-qualified -- ocean-certified responders.
- 23 inland waterways, canals and lakes. This is an
- 24 illegitimate -- an illegitimate waiver of regulatory
- 22 They are -- Alaska Chadeux is only certified to respond in
- 25 requirements under OPA 90.

- 1 ability to lighter that -- those petroleum products off of
- 2 that vessel.
- 3 If the Aivik itself had continued engine
- 4 failures, it would have ended up on the beach, as well.
- There was no capable oil spill response organization
- contracted by them. They should have never gotten an
- approved vessel response plan with a geographic-specific
- appendix for any of the capping in the port zones
- transited by those vessels. To the extent that you have a
- rogue agency that is issuing permits that are not
- compliant with OPA 90 and will not be able to enforce the
- law with respect to permitting of the actual facilities
- that are operating on the leasehold or transiting to and
- 14 from the leasehold, BOEM must determine that the
- environmental impact across Alaskan waters is an
- unacceptable risk that must be averted through a vacating
- 17 of the lease sale.
- I'll give somebody else an opportunity to talk 18
- 19 while I collect my thoughts, please.
 - DR. JIM KENDALL: Would anybody else like
- 21 to come up? We have got only about ten or 12 more
- 22 minutes. We have another gentleman coming? Your name,
- 23 then, and --
- MR. WILL MERRITT: Will Merritt,
- 25 M-E-R-R-I-T-T. I hear people on -- there is just two

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- 1 sides, yes and no, as far as I can tell here. Kind of
- 2 simple. And I hear people advancing both sides of the
- 3 argument, like if we do this, this will be great for the
- 4 Trans-Alaska Pipeline System. But I heard from a guy who
- 5 knows a lot that works on the pipeline that, why send it
- 6 from the Chukchi Sea to the Trans-Alaska Pipeline System?
- 7 Much simpler to run a pipeline down the Bering Sea.
- Or the hunting matters. The problem with a road
- 9 that goes to the mine is Eskimos to rifles. When you open
- 10 the country, it allows the freedom of hunting. And when
- 11 we talk about the subsistence lifestyle, it's almost over.
- 12 It's impossible for Native families to feed themselves
- without fuel. If they don't have fuel for their
- 14 snowmachine, their boats, they can't catch animals. And
- the food has to come in by sea or airplane. I mean, these
- days are over. You know, the Trans-Alaska Pipeline may be
- 17 almost finished as far as Chukchi Sea goes.
- You know, and global warming, it's really not a
- 19 matter of whether we are going to slow it down or stop it.
- 20 We are going to continue to burn fuel because I know
- 21 hardly anybody who wants to be cold or not have a
- 22 computer, electric lights. So it's a matter that we will
- 23 burn more fossil fuels unless some miracle alternative
- 24 suddenly shows up. It could happen. 25 Anyway, I just consider this particular area

- 1 K-I-N-G-I-K. I come from Point Hope, Alaska. First of
- 2 all, I'd like to thank my colleagues out there that are
- 3 helping protect the Arctic. Save the Arctic. Protect the
- 4 Arctic. We love the Arctic. We are part of the
- ecosystem. We can't live without the animals. The
- animals cannot live without us. So I say Alternative 2,
- no action. No action. No action. Alternative 2. I have
- been through a lot of public hearings with you guys.
- 9 Hopefully this will be our last, and we will never see it
- again because Obama will say no. No Arctic drilling. No
- Arctic development. No Arctic everything.
- 12 So after listening to Kotzebue, Point Hope and
- 13 my friends here in Anchorage, sounds like you guys got
- 14 your [indiscernible] that will say no. No drilling in the
- 15 Arctic.
- 16 Thank you.
- DR. JIM KENDALL: Thank you, Earl. 17
- 18 Anybody else?
- MR. TOM LAKOSH: To continue on, to add 19
- 20 upon the impacts, the Aivik and the Kulluk were not
- registered with the federal government as tank vessels.
- They were given exemption from oil spill response plans
- themselves because they were considered anchor handling
- and -- anchor handling tugs or oil spill response vessels.
- 25 But the State of Alaska actually required them to file

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- 1 pretty dangerous and, I mean, there is the ridiculous
- 2 argument, do you like flying in an airplane if there was a
- 3 70 percent chance, well, that's not true. But in a
- 4 lifetime, a large spill defined here by 1,000 or 5,000
- 5 barrels compared to the waste pouring off this city, the
- 6 nonpoint source stuff of the occupied part of North
- 7 America where people are spilling oil dripping out their
- 8 cars, putting pesticides in their driveway, eating
- 9 everything and driving huge trucks, I mean, slowing down
- 10 this project might be a good idea. I mean, this is a very
- 11 hazardous area. I don't see any way a major oil spill
- 12 could be -- by "major," I mean a large part of a ship load
- getting lost, of having any hope of containing it. I
- 14 mean, it's impossible.
- 15 I mean, the ocean may be ice-free part of the
- 16 year soon, but it's still full of ice almost all year, no
- 17 matter which scenario we follow. I just consider it a
- very dangerous thing in terms of oil spill goes. And the
- 19 point my daughter made about, we can leave it in the
- ground for a considerable time and it will be fine because
- 21 it's going to be needed later. And just because we are
- 22 burning it as fast as we can doesn't mean we need to burn
- this particular fuel right now.
- 24 That's my only remark.
- 25 MR. EARL KINGIK: Earl Kingik, last name

- 1 plans as tank vessels because they were planned to be used
- 2 to bunker the entire fleet. They were -- they were
- 3 purchasing oil in Dutch, or petroleum products in Dutch,
- and acting as a tank vessel to bunker other vessels; in
- other words, having -- purchasing oil and oil products and
- transporting them for reuse by other vessels.
- The fact that the Coast Guard exempted what are
- clearly tank vessels carrying bulk petroleum products for
- distribution should give you pause in asserting that the
- lease sale could be developed without environmental --
- adverse environmental or unacceptable adverse
- that you would have to model an oil spill at 50,000
- 14 barrels per day for 30 days under state law to be sure
- your -- you would have to minimally have the rate of oil
- spillage from a wellhead at the maximum discharge rate of

environmental impact. I mentioned in the Cook Inlet sale

- any of the North Slope fields, and then project it over
- 18 the time that a relief well could be drilled.
- In the last iteration, we had the relief 19
- drilling well, relief drilling rig separated by several
- hundred miles from each other because they were operating
- on two different sites. In that particular case, you
- could have intervening ice sheets that impinge upon access
- 24 of one rig to the other and that you must consider
- 25 extended transit times and the ability to break ice and

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ior	193 Remand - Chukchi Sea		December 1, 2014
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1	conduct a drill in the a relief well drilling in the	1	that, I think we can conclude our hearing for the Draft
	middle of an ice pen.		Supplemental EIS. Thank you very much for coming.
3	We saw that Shell was chased off its drill site	3	(Proceedings adjourned at 9:40 p.m.)
	early in its top hole development in the Chukchi. We must	4	(Froecoungs augourned at 5.10 p.m.)
	anticipate that a relief well rig may have faced the same	5	
	type of obstruction of conducting relief well drilling	6	
	operations. That should be calculated into the time that	7	
	there will be a free-flowing well head that is	8	
	unobstructed and releasing oil at minimally at the	9	
	13,000 barrels per day under state law or the larger of	10	
	which might be the highest producing well on the North	11	
	Slope.	12	
13	•	13	
	To follow through on that prior statement that I		
	got sidetracked on about the Aivik and the Kulluk being	14	
	tank vessels, you must also consider a spill from one of	15	
	those vessels that carry large amounts of petroleum	16	
	product which they are doing, and you must deny a permit	17	
	unless there is full compliance with law and no exemption under an illegitimate remote areas policy.	18 19	
20	Those vessels have to be properly permitted	20	
	before they should be able to operate on any lease site.	21	
	Any lease has a stipulation that they must comply with all	22	
	federal law in order to maintain operations and lease in	23	
	good standing. Here they deliberately circumvented	24	
	federal tank vessel law with the Coast Guard and in	25	
23	rederar tank vesser raw with the coast Guard and in	23	
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,	collusion with the Coast Guard, and that unless and until	1	REPORTER'S CERTIFICATE
	they can properly provide the oil spill prevention and	2	I, MARY A. VAVRIK, RMR, Notary Public in and for
	response required by federal law, including the new	3	the State of Alaska do hereby certify:
	salvage, lightering and firefighting regulations,	4	That the foregoing proceedings were taken before
	throughout their transit of Alaskan waters, then you are	5	me at the time and place herein set forth; that the
	effectively allowing a fly-by-night operation to illegally	6	proceedings were reported stenographically by me and later
	operate in, you know, protected waters that you have	7	transcribed under my direction by computer transcription;
	permitted.	8	that the foregoing is a true record of the proceedings
9	Your permit is an attractive nuisance to a rogue	9	taken at that time; and that I am not a party to nor have
	operation here where they are illegally allowing in	10	I any interest in the outcome of the action herein
	concert, in collusion with the Coast Guard tank vessels to	11	contained.
	be operated outside of OPA 90 regulatory requirements.	12	IN WITNESS WHEREOF, I have hereunto subscribed
13	And I request that you make clear legal findings	13	my hand and affixed my seal this day of December
	of fact and conclusions of law with regard to these	14	2014.
	several issues that I presented where there could be	15	
	unmitigated spills which are in violation of OPA 90,	16	
	ANILCA, the Endangered Species Act, Marine Protection Act,	17	MARY A. VAVRIK, Registered Merit Reporter
	and God knows how many Fish & Game regulations which would	18	Notary Public for Alaska
	preclude the unlawful taking and means of taking the wild	19	My Commission Expires: November 5, 2016
	species that could definitely be impacted by that 75	20	-
	percent oil spill that could greatly exceed 5,000 barrels	21	
	a day, much less over the time it takes to drill a relief	22	
	well.	23	
24	Thank you very much.	24	
25	DR. JIM KENDALL: Thank you. And with	25	

101 175 Remaile Chare	III Sea			
	45:17	adjourned (1)	against (2)	85:15;91:5
\$	acidification (1)	92:3	28:16;57:14	Alaskans (16)
·	23:9	administration (5)	Age (1)	44:7,18,19;45:8;
\$110 (1)	acknowledge (2)	20:10;21:6;34:17,22;	54:21	49:17;50:7;52:5,9;
12:17	64:24;84:3	53:8	agencies (12)	55:18;56:6;63:22;67:6
\$44 (1)	acknowledged (2)	admit (3)	10:3,3,4,10,10,11;	75:11,24;76:3;84:12
	9:12;70:14	32:14,22;36:8	26:23;27:12,15;32:14;	Alaska's (11)
54:6	acknowledges (2)	admits (1)	33:19;84:14	23:1;38:3;40:10;
\$70 (1)	26:1;42:25	32:18		
54:4			agency (20)	43:19;48:12,23;53:20
	across (9)	advancements (1)	3:16;6:13,22;7:5,7,	23;66:20;69:14;70:4
[15:14;30:23;37:7;	67:8	14,16;8:8,15,19,20,25;	Allen (1)
	39:6;41:16;64:6;69:19;	advancing (2)	9:12,15;10:6;17:13,25;	59:10
[indiscernible] (2)	80:19;85:15	67:1;86:2	33:20;63:8;85:10	Alliance (1)
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                       193 REMAND - CHUKCHI SEA
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                 BUREAU OF OCEAN ENERGY MANAGEMENT
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                            Barrow, Alaska
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                        Taken December 3, 2014
                       Commencing at 7:08 p.m.
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                 Volume I - Pages 1 - 98, inclusive
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                               Taken at
                     Dr. Albert Conference Hall
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    Mary A. Vavrik, RMR
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MIDNIGHT SUN COURT REPORTERS (907) 258-7100

	Page 2	Page 4
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Page 2 A-P-P-E-A-R-A-N-C-E-S Bureau of Ocean Energy Management: James Kendall Regional Director Michael Haller Tribal and Community Liaison Michael Routhier Program Analysis Officer/Project Manager Betty Lau Chief of Resource and Economic Analysis Section Heather Blood Administrative Officer Deanna Benedetti Executive Assistant For Bureau of Safety and Environmental Enforcement: Jack Lorrigan Tribal and Community Liaison For U.S. Department of the Interior: Pat Pourchot Special Assistant for Alaska Elizabeth Gobeski Office of the Regional Solicitor	 the front desk who are probably not going to stick their head in here they are hiding from me is Heather Blood and Deanna Benedetti. There she is. She's waving. She's not going to come in. And Liz. Liz. MS. LIZ GOBESKI: I'm Liz Gobeski. I'm in the Office of the Solicitor for the Department of Interior. DR. JIM KENDALL: And also from the Department of the Interior, Pat, if you don't mind, would you please introduce yourself. MR. PAT POURCHOT: I'm Pat Pourchot. I'm special assistant to the Secretary of the Interior located in Anchorage. DR. JIM KENDALL: Thank you, Pat. Now, you all are the most important people in the room. So you are number one. The second most important person in the room is Mary sitting right here. As we get further into
18	Attorney Advisor	18 the evening, Mary is tasked with writing down or typing
19 20	Taken by: Mary A. Vavrik, RMR	19 every word that's said so that we have an accurate record20 of what was said here tonight because this is a really,
20 21 22 23 24 25	BE IT KNOWN that the aforementioned proceedings were taken at the time and place duly noted on the title page, before Mary A. Vavrik, Registered Merit Reporter and Notary Public within and for the State of Alaska. P-R-O-C-E-E-D-I-N-G-S	 21 really important meeting. So when you come up here 22 tonight, please state your names for the record for Mary. 23 And remember that she's typing as fast as she can to get 24 the information. You know, I'm a Yankee. I'm from Ohio. 25 I talk too fast. And she sometimes throws things at me to
	Page 3	Page 5
1	DR. JIM KENDALL: All right. We are going	1 slow down. So if you are like me, slow down a bit so that

2 to get over our little technical glitch by ignoring the 3 technical glitch and just go with the front screen. In a 4 little bit when we start the presentation, some of you may 5 want to move closer, but before we do anything else, Harry 6 has agreed to start our meeting off with a blessing. (Prayer offered by Harry Brower.) **DR. JIM KENDALL:** Thank you, Harry. Why 9 are we here tonight? My name is Jim Kendall. I'm the 10 Regional Director for the Bureau of Ocean Energy

Management, sometimes called BOEM. BOEM is a federal

agency, a federal bureau within the Department of

Interior. Our responsibility is managing the federal

waters on the offshore, which goes from three miles out to

about 200 miles. So that's where our responsibility lies.

16 It's not just me that is here. I have a team

17 with me. And I want to introduce the team, and they can

introduce themselves. Mike. 18

MR. MICHAEL HALLER: Michael Haller. I'm 19

the tribal and community liaison.

MR. MIKE ROUTHIER: Mike Routhier, program 21

22 analysis officer.

23 MS. BETTY LAU: Betty Lau, chief REAS,

24 resource and economic analysis.

DR. JIM KENDALL: Then the two folks at

we can make sure that we get every word that's said.

I have been up here a number of times. I have

4 been here in Alaska three years now. I'm starting to

5 learn a few things with some help from some friends in the

audience -- I see they are smiling.

So this may be a little bit different from what

you are used to seeing. I could stand up here and tell

you why we are here and what we are doing and how

important this is. But instead of doing that, we brought

a PowerPoint presentation that's about 15 to 20 minutes

long. And two of the people that are very important in

doing this work and guiding the effort have joined us

tonight, and they are going to walk us all through what's

going on, why we are here so we can all start, you know,

from the same basis, so all start from the same place. We

are then going to take a very short break while I bring

the podium over, and we are going to start the public

19 comment period. And of course Elders will go first. Then

we will go out to the general audience.

21 In some venues where we have a lot of people, we

22 started putting the names in the hat. We have a nice

23 crowd here, so we are probably not going to do that. We

24 will just go around the room, and as people want to come

25 up and take the microphone and give their testimony,

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- 1 that's great. If you happened to bring some notes with
- 2 you to speak from, if you would, please, if you could let
- 3 Mary have it because that makes sure our record is
- 4 accurate. Okay?
- Now, why are we here? I'm going to turn this
- 6 over to Mike and Betty, and they are going to give you a
- 7 little presentation here.
- 8 MR. ROBERT SUYDAM: Jim, will there be an
- 9 opportunity for questions or clarification?
- **DR. JIM KENDALL:** With this small group I
- 11 think we can do that. Technically during a meeting, we
- **12** usually just have the testimony -- the presentation and
- 13 the testimony. I don't have all my technical folks here.
- 14 If there are some questions we can answer, yes. If we
- 15 can't, we will have to get back with you.
- **MR. MIKE ROUTHIER:** Good evening. As Jim
- 17 said, we are the Bureau of Ocean Energy Management, and we
- .8 are primarily here tonight to talk to you about a document
- 19 that we have prepared and to get your comments on that
- 20 document. That document has a very long name. It's up on
- 21 the board there. Chukchi Sea OCS Oil and Gas Lease Sale
- 22 193 Draft Second SEIS. And SEIS stands for Supplemental
- 23 Environmental Impact Statement. It's a NEPA document.
- 24 It's an environmental review document.
- So again, we are BOEM. We are an agency within

- And all that work takes place according to a
- 2 four-step process. And this process is mandated by the
- 3 Outer Continental Shelf Lands Act, so a Congressional act,
- 4 a law that requires us to do this program in this
- 5 four-step manner.
- 6 The first of those steps is a five-year program
- 7 that I mentioned earlier, national level identifying areas
- 8 where it might be a good idea to lease, excluding areas
- 9 where it's not a good idea to lease. The next stage would
- 10 be planning for an individual lease sale. If leases are
- 11 sold and a lessee wants to explore, they need to submit a
- 12 plan to our agency, an exploration plan. And we would
- 13 evaluate each plan as it comes in, do NEPA review, look at
- 14 our regulatory criteria and see if that plan meets the
- 15 criteria and might be eligible to be approved.
- And if a lessee conducts exploration
- 17 successfully and makes a discovery, they would probably
- 18 want to develop it and produce oil on those leases. They
- 19 would have to submit another plan for our approval prior
- 20 to conducting any development and production activities.
- 21 Here it's interesting. We are actually at the
- 22 second step of these four steps. And it's a little bit
- 23 unusual in that here we are talking -- we are not planning
- **24** for a lease sale, per se, but we are evaluating a lease
- 25 sale that has already taken place.

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- 1 the Department of the Interior. We are going to talk
- 2 about this document. We are going to walk you through how
- 3 it was -- why we developed it, how we developed it and
- 4 what the next steps in the process are. And we would like
- 5 to get your comments on that document.
- A little bit of background information about
- 7 BOEM. Our primary responsibility is the development of
- 8 energy and mineral resources of the OCS which, as Jim
- 9 stated, here in Alaska is from two miles out to 200 miles
- 10 out in the ocean. And our mission is to do it in an
- **11** environmentally and economically responsible manner.
- There is a lot of aspects of the program that
- 13 our agency runs. We implement a five-year oil and gas
- 14 leasing program that looks at various portions of the
- 15 nation's OCS and determines what areas might be suitable
- 16 for oil and gas leasing. We evaluate any offshore
- 17 exploration or development and production plans that the
- 18 agency may receive. We conduct several forms of
- 19 environmental reviews that inform all of our agency's
- 20 decisions. We have a robust environmental studies program
- 21 that funds and initiates a variety of research in places
- 22 such as the North Slope and Chukchi Sea and Beaufort Sea,
- 23 and we conduct resource evaluation; in other words.
- 24 evaluate what kind of oil and gas resources might be
- 25 present in various portions of the OCS.

- 1 The specific lease sale I'm talking about is
- 2 Lease Sale 193. That's in the Chukchi Sea. This process
- 3 started back in 2007 when the agency, then MMS, prepared
- 4 an Environmental Impact Statement that evaluated the
- 5 potential effects of oil and gas leasing in the Chukchi
- 6 Sea. And that informed the decision of the Secretary of
- 7 the Interior at the time about whether to hold a lease
- 8 sale for the Chukchi Sea.
- 9 In 2008 the lease sale was held. The government
- 10 received almost 2.7 billion in high bids and issued 487
- 11 leases in the Chukchi Sea. That lease sale was challenged
- 12 in court, and in 2010 the U.S. District Court for the
- 13 District of Alaska found that the 2007 SEIS that was done
- 14 was deficient in a couple of ways. And they said to go
- 15 back and do more environmental analysis. So the agency 16 did.
- And in 2011 the agency released a final
- 18 supplemental EIS that addressed those issues of the
- 19 District Court. The District Court was happy with the
- 20 work that was done and dismissed the case. However, the
- 21 plaintiffs in that case appealed the case to the Court of
- 22 Appeals.
- That appeal raised two issues. One concerned
- 24 missing information and the job that the agency did in
- 25 dealing with or addressing missing or incomplete

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- 1 information in its NEPA documents, but the Court of
- 2 Appeals found that the agency did -- did fine in that
- 3 regard. However, there was a second argument regarding
- 4 the exploration and development scenario that was used in
- 5 that 2007 document.
- 6 There that 2007 document analyzed a
- 7 one-billion-barrel-of-oil scenario. And that's because
- 8 the agency felt that because the Chukchi Sea was a
- 9 frontier area and there was no prior economic discoveries
- in the Chukchi Sea, it would be suitable to just analyze
- 11 the minimum amount of production that would be necessary
- 12 to economically produce oil in the Chukchi Sea.
- 13 However, the Ninth Circuit Court of Appeals
- 14 found that that was inappropriate. They said that since
- the document acknowledged that if the first development
- went in, then more development might follow, that you have
- to analyze all the development. So the Court therefore
- remanded the matter of Lease Sale 193 back to our agency
- and said you need to conduct more NEPA analysis.
- 20 And this is the document that we are talking
- 21 about tonight, this additional NEPA analysis. It's the
- 22 Second Supplemental Environmental Impact Statement, and it
- 23 analyzes a much higher level of production, 4.3 billion
- 24 barrels of oil.
- 25 When we started to create this document, we

- 1 lease sale in some manner, or whether to vacate the
- 2 existing leases. And a critical point is that no new
- 3 areas would be offered for lease in this process. The
- 4 agency is not contemplating selling leases in any
- additional areas in the Chukchi Sea through this process.
- 6 As I've mentioned before, the scenario, scenario
- being a hypothetical set of activities that you assume for
- the purpose of analysis, is a really critical issue here.
- And in this document it was Betty and her group that did
- the work in providing this larger 4.3-billion-barrel
- scenario, so I'm going to let her talk about that.
- 12 MS. BETTY LAU: As Mike said, the
- 13 deficiency that the Court of Appeals found was in our
- 14 analysis of impact space on one billion barrels of oil,
- plus some unspecified amount more. And so what we needed
- to do was try and come up with an estimate of how much
- more we would be talking about. And this triangle kind of
- walks you through our thought process when we -- that we
- had to go through to get that 4.3 billion barrels.
- 20 When you talk about all of the Chukchi, not just
- 21 the leased area, but all of the Chukchi, there may be
- 8,500 prospects. A prospect is a place that someone might
- want to try drilling for oil. Of course, we don't have
- 24 good seismic. We don't have good data on all of the
- 25 Chukchi. So what we do is take what we know and then

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- 1 extrapolate it to the areas that we don't know about.
- 2 agencies, and there are several cooperating agencies that Then we take those prospects and we -- we look
 - more closely at, well, how much oil could we get out at --
 - 4 using our conventional technology, nothing new or exotic,
- 5 Bureau of Land Management, BLM; the State of Alaska; and 5 if money were no object, if you could get every drop out
 - 6 that we could remove. And that shrinks our analysis down
 - to 1,400 pools or 15.4 billion barrels. And we call that
 - 8 the UTRR. It's the undiscovered -- and that's really
 - 9 important to remember -- we don't know where it might be.
 - 10 But it's our best estimate based on the information we
 - 11 have right now -- undiscovered technically recoverable
 - 12 resources. So technically we could get it out of the

 - 13 ground if money were no object.
 - But as we know, money is important, and oil
 - companies don't go out and drill to not make money. So
 - then we have to apply economics to that value. And the
 - number we chose when we did this analysis -- it seemed
 - very reasonable last summer when we did it -- was \$110 a

 - 19 barrel. And we applied that price of oil to our
 - calculations and said, okay, if the oil were worth that
 - much, how much could you produce and still make money.
 - 22 And you can see, then, that shrinks it down to 11.5
 - 23 billion barrels.
 - 24 But we are not talking about the whole area of
 - 25 the Chukchi. As Mike said, we are only talking about the

1 understood that it was important to talk to other

- 3 have helped us produce this draft. They include the
- 4 Bureau of Safety and Environmental Enforcement, or BSEE;
- 6 also the North Slope Borough and the Northwest Arctic
- 7 Borough. Several other agencies also helped us along the
- 8 way: EPA, Fish & Wildlife Service, NMFS, the Coast Guard
- 9 and an agency called the Office of the Federal Coordinator
- 10 for the Alaska Natural Gas Transportation Project.
- 11 The heart of any NEPA document is the
- 12 alternatives analysis. You have to not analyze -- not
- just analyze the proposed action but analyze alternatives
- 14 to the proposed action. Here in the supplemental document we're analyzing the same four alternatives that the agency
- 16 analyzed in 2007 and in the supplemental document of 2011.
- 17 You see those four alternatives up on the screen.
- There is a proposed action. There is a no 18
- 19 action and there is two other alternatives that
- 20 contemplate deferral corridors of different sizes along 21 the coast. In other words, those alternatives would not
- 22 have leases in areas along the coast of the Chukchi Sea.
- 23 There is two different distances put on. Overall to so 24 inform the Secretary of the Interior's decision about
- 25 whether to affirm Lease Sale 193, whether to modify the

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- 1 leased area. So if you take away all the area that is not
- 2 under lease and you think about what could you reasonably
- 3 expect to produce based on the leasing in 193, and if
- 4 there were a successful discovery based on these leases
- 5 and you had another lease sale later and more oil were
- 6 discovered because of that, so that's our cumulative --
- 7 how much could you expect to produce. And that's where we
- 8 get our 6.4 billion barrels. That's our cumulative amount
- **9** for Lease Sale 193, plus one additional lease sale
- 10 following a success.
- But for the value of just what we think could be
- 12 produced based on Lease Sale 193, you get to the --
- 13 finally the bottom of the triangle, 4.3 billion barrels.
- 14 So that's what those numbers mean. We went back and did
- .5 our analysis from the very beginning. We took it right
- **16** back to the start and did everything fresh.
- Now, to get that 4.3 billion barrels, we assumed
- **18** that you would have one anchor field. What we call an
- 19 anchor field means one major big discovery that would be
- 20 economic to develop by itself. If you didn't find
- 21 anything else, you only found that, you could still make
- 22 money at \$110 a barrel if you found that. And the size of
- 23 our anchor field is 2.9 billion barrels.
- But then we thought, well, you know, if they did
- 25 find one big field, they would probably look some other

- 1 have to have? How many miles of pipeline do you need?
- 2 All of those go into developing that schedule.
- 3 So it has to go through its four phases: Your
- 4 exploration -- we are assuming that a discovery would be
- 5 made early on which, you know, so far we have got five
- 6 exploratory wells that have been drilled in the Chukchi,
- 7 and none of them has been economic to date. So that's an
- 8 optimistic assumption right away. Then development is
- 9 when you start putting in the platforms and your
- 10 additional wells, putting in the pipelines so that you are
- 11 able to produce.
- And then you have your production phase, first
- 13 the oil. Then as the oil depletes, then the gas sales
- 14 would come on-line, and then finally decommissioning,
- 15 removing the platforms, plugging the wells with cement,
- 16 cleaning up the pipelines, making sure everything is
- 17 returned to -- as close as we can get it to the original
- **18** state.
- Another assumption that we make is both
- 20 production, oil and then later gas are going to be piped
- 21 across NPR-A to Prudhoe and then into the main lines down
- 22 south from there.
- MR. MIKE ROUTHIER: Now, once Betty's
- 24 group provided us with this scenario, this set of
- 25 hypothetical activities, we then turned that scenario over

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- 1 places that were nearby so that they could take advantage
- 2 of the pipelines that would be in and the infrastructure
- 3 that would be there and add fields which, as you know,
- 4 that's what happened with Prudhoe.
- 5 So we assumed that at least one satellite field
- 6 or smaller one that goes around the big field would be
- 7 found, and that field would have 1.4 billion barrels.
- **8** When you add those up, you get our 4.3 billion barrels.
- 9 Now, we are assuming that gas is not going to be 10 sold at the beginning of the production because we don't
- sold at the beginning of the production because we don't
- 11 have a pipeline yet. So what we are assuming they would
- **12** do is what they are doing right now on -- at Prudhoe.
- 13 When the oil and the gas and the water all come out of the
- 14 ground, we put the gas and the water back in the ground to
- 15 keep up the reservoir pressure and maintain the oil
- 16 production until that pipeline is in that would carry gas
- 17 from the North Slope and we could get capacity in that
- 18 pipeline. So because of that and because we also included
- 19 decommissioning or taking out the infrastructure after
- 20 production into our schedule, it -- the scenario runs for
- **21** 77 years.
- Now, you have to keep in mind, you know, how we
- 23 got that 4.3 billion barrels, this is one idea of if you
- 24 had 4.3 billion barrels, how would you produce it? How
- 25 many wells would it take? How many platforms would you

- 1 to our analysts, so basically our wildlife biologists, our
- 2 social scientists, our oceanographers, and we asked them
- 3 what kind of impacts on the environment might result if
- 4 this scenario happened. In conducting that analysis, our
- 5 analysts considered new information, so information that
- 6 has arisen, you know, subsequent to 2007 or subsequent to
- 7 2011, those prior documents. We analyzed impact-producing
- 8 factors or those things about the oil and gas activities
- 9 that might cause impacts to the environment, and we
- 10 attempt to walk the reader through the impacts of this
- 11 scenario through time; in other words, how would these
- **12** impacts unfold over time.

We also assessed the probability of oil spills

- 14 occurring as a result of these activities. For the
- 15 purpose of analysis, the document assumes two large oil
- 16 spills. That's not the most likely case, but to ensure
- 17 that we didn't underestimate impacts, we assumed two,
- 18 which is a little bit more than our numbers were telling
- 19 us. And by large oil spills, the word large we use in the
- 20 sense of greater than or equal to 1,000 barrels.
- 21 Looking at some historical data about past large
- 22 oil spills that have occurred around the country, we took23 the median spill sizes and assumed for the purposes of
- 24 analysis that these two large spills would be 5,100
- 25 barrels and 1,700 barrels.

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- Speaking of oil spills, the analysis also
- 2 updates a very large oil spill analysis that the agency
- 3 originally did in 2011 just after the Deepwater Horizon
- 4 event happened. And this is a very low probability event,
- 5 but it's also a very potentially high impacts event. And
- 6 the agency felt it was important for the Secretary to
- 7 understand what kinds of impacts could happen if a very
- 8 large oil spill did happen in the Chukchi Sea.
- The document also analyzes cumulative impacts.
- 10 So we are not just looking at oil and gas activities in a
- 11 vacuum. Our agency understands that there are many other
- 12 things affecting the environment in the Chukchi Sea and on
- the North Slope. And there will continue to be many
- 14 things influencing the environment in the decades to come.
- 15 And specifically we are talking about climate
- 16 change. We are talking about vessel traffic, military
- 17 activities, community development, recreation, tourism.
- All the other things that might occur that might also
- 19 impact resources in the Chukchi Sea and beyond we also
- 20 considered in our document.
- 21 So where are we now? We have at least a draft
- 22 document. We released that back in late October. That
- 23 triggered a 45-day public comment period. We are in that
- 24 45-day public comment period right now. We have been
- 25 going around the state holding public hearings. And that

- 1 podium over. And while we are setting up for the
- 2 testimony and comment period, why don't everybody go back,
- 3 get some more munchies -- we are not taking them with
- us -- and some more coffee and then we will begin.
 - (A break was taken.)
- 6 DR. JIM KENDALL: Looks like we are about
- ready to start. Since we have a moderate crowd here,
- we're not going to do the names in the hat thing. In some
- of the venues where we have 50 to 75 people and people
- show up an hour in advance to hurry up and get there
- first, et cetera, we would go to the lottery system where
- you pick names out of a hat on who gets to speak first.
- That way everybody is upset, but everybody gets treated
- equally. But in this case we're not going to do it here.
- We have got a good, manageable crowd.
- 16 And before we just go out to general comments,
- we are going to ask the Elders, are there any Elders who
- would like to speak first? You can speak at other times,
- of course, but I want to give the first option to our
- Elders who would like to go first.
- 21 MR. THOMAS OLEMAUN: I don't think we
- 22 qualify just yet.
- DR. JIM KENDALL: I was in one of the
- 24 stores near here recently, and someone asked me if I was
- 25 an Elder, and I said I don't think so. I've got a few

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- 1 years to go.
 - UNIDENTIFIED MALE SPEAKER: You missed out
- on the discount. Sorry about that.
- DR. JIM KENDALL: All right. Well, then,
- 5 in that case, let's begin the public comment period. Some
- people would like to call it testimony. We are getting
- all the information down, so we really need you to state
- your name. And if you are like me and you speak fast, I
- make an effort to slow down so Mary can get the notes and
- what was said.
- 11 And keep in mind, the document we are producing
- 12 is not a decision document. When we finish this, it
- doesn't say what the decision is. What we are hoping for
- 14 is a document that gets everybody's concerns and all the
- 15 facts in there, be it science, be it traditional
- knowledge, so that when we present it to the
- decisionmaker, you know, the Secretary of the Interior,
- 18 Sally Jewell, that she is confident that everything is
- 19 laying out before her so that she can give this some
- 20 thought and make a decision.
- 21 Again, we are not the decisionmakers. We are
- 22 preparing the information for the Secretary to make a
- decision, and we need help from everybody, you know, all
- 24 citizens, tribes, Elders, college students, to make sure
- 25 the document is really reflective of the facts. And

1 comment period ends on December 22nd. And we will talk a

2 little bit more about how to comment in a moment.

- Once that comment period ends, the agency will
- 4 sit down and evaluate all the comments it receives. And
- 5 we are going to make revisions to the document based on 6 those comments. Eventually the agency is going to release
- 7 a Final Second Supplemental EIS, and we expect to do that
- 8 in late February of next year.
- As soon as 30 days later, the Secretary of the
- 10 Interior can render her decision about whether to affirm,
- 11 modify or vacate Lease Sale 193.
- 12 As far as submitting your comments is concerned,
- 13 you can do so here tonight by giving public testimony. It
- 14 will be captured by our court reporter. Our analysts will
- 15 evaluate those transcripts that are produced while they
- 16 sit down to revise the document. Or at any time prior to
- 17 December 22nd, you can go on to regulations.gov, which is
- 18 the website that the government uses to collect public
- 19 comments. And we do have a handout explaining in more 20 detail how to use that website. That handout is in the
- 21 back of the room. And I would just note that the deadline
- 22 on December 22nd is actually 8:00 p.m. Alaska time.
- 23 And that concludes the presentation.
- DR. JIM KENDALL: Thank you, Mike. If we 25 can get the lights back there. We are going to move the

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- 1 that's why we need your help.
- The floor is open, and the microphone is here.
- 3 Who would like to start? Robert, you are itching, I know.
- 4 MR. ROBERT SUYDAM: It seems like official
- comments from the Borough would be appropriate to start.
- 6 **DR. JIM KENDALL:** That would be fine.
- MR. ROBERT SUYDAM: Or from the AWC, 7
- either one. 8
- 9 DR. JIM KENDALL: Thanks, Robert. That's
- 10 a good way to get someone up here.
- MR. ROBERT SUYDAM: Sorry, Boss. 11
- MR. HARRY BROWER, JR.: Let me first say 12
- thank you to all of you for coming here to Barrow. It's 13
- 14 an honor for you all to be here for us because we -- we
- know your offices are a long way sometimes in D.C. and
- sometimes in Anchorage, so coming to Barrow is a -- it's a
- 17 great opportunity for us to share some of our thoughts
- 18 with you.
- 19 Just for introductions, I'm Harry Brower, Jr.
- 20 I'm the chairman of the Alaska Eskimo Whaling Commission.
- 21 Alaska Eskimo Whaling Commission represents 11 whaling

Thank you for the opportunity to comment this

3 chairman of the Alaska Eskimo Whaling Commission. As BOEM

4 knows, the mission of the AEWC is to preserve and enhance

The subsistence hunt of the bowhead whale is the

5 the marine resources of the bowhead whale and its habitat

8 most important subsistence activity for our people, both 9 in terms of food security and for what it means culturally

10 and spiritually to our communities. Our Chukchi Sea

12 conditions change over time, it is likely that more of our

13 Chukchi Sea communities will come to rely more on the fall

11 villages depend heavily on this resource and as ice

6 and to protect Eskimo subsistence whaling.

2 evening. Again, my name is Harry Brower, Jr., and I'm the

- 22 communities across the North Slope and down into the
- 23 Bering Sea down to St. Lawrence. So we have 11
- 24 communities that we represent in regards to whaling,
- 25 specifically bowhead whales.

- 1 to develop measures that work for our hunters and for the
- 2 offshore operators. The CAA has been very successful over
- 3 the years in ensuring that offshore activity can co-exist
- with our preexisting subsistence uses.
- In its 2013 report to the President on energy
- development and permitting in the Arctic, the Department
- of Interior commended our efforts with the CAA as a
- promising approach to integrate the needs of ecosystems,
- economies and cultures.
- Moving forward, we strongly encourage BOEM to
- work with the AEWC and our communities to build off the
- CAA in developing site-specific mitigation measures for
- planned exploration and development activities. We raise
- 14 this point now because BOEM concludes in its Supplemental
- Environmental Impact Statement that offshore activities
- under Lease Sale 193 could have major impacts from
- disruption of our hunting activities and degradation of
- subsistence use areas. These types of impacts are
- prohibited by federal law based on the protections for our
- subsistence uses in the Marine Mammal Protection Act.
- Therefore, BOEM must be at the table working with our
- hunters, industry and National Marine Fisheries Service to
- support the CAA process.
- 24 An important step that BOEM could take right now
- 25 is coordinating its review of site-specific projects to be

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- 1 consistent with the timing of the annual CAA process.
- Operators that are not already working with us must be
- 3 encouraged to talk directly with our whaling captains
- 4 through the CAA process. And BOEM should incorporate the
- mitigation measures from the CAA into its decisions.
- Simple, practical solutions like these can go a long way
- towards ensuring that offshore activities do not interfere
- with our subsistence uses. Our food security and our
- subsistence-based cultures and traditions depend on it.
- 10 Thank you.

11 DR. JIM KENDALL: Thank you, Harry. Who

would like to go next? The floor is yours.

MR. ROB ELKINS: Hi. Good evening. Nice

14 to see you guys from this afternoon. Welcome to Barrow,

- again. My name is Rob Elkins. I'm the Director of
- Administration and Finance for the North Slope Borough and
- speaking on behalf of Mayor Charlotte Brower, who is
- unable to be here tonight. It's actually awesome that you
- 19 folks are here. We know that for several of you it's not
- your first trip, but we are glad you are here to present
- 21 the Draft Second EIS for Lease Sale 193 and, more
- 22 importantly, to listen to the community members and their
- 23 concerns.
- I'd like to offer some general comments on
- 25 behalf of the North Slope Bureau, but the Borough will

14 hunt of bowhead whales. 15 The AEWC therefore works for decades with the 16 federal government and with industry on management of

offshore activities to ensure that those activities

incorporate mitigation measures that will protect the

19 subsistence hunt of the bowhead whale. 20 The Open Water Season Conflict Avoidance

21 Agreement, or CAA, is the process that our communities 22 depend on to develop practical mitigation measures based

- 23 on the traditional knowledge of our whaling captains.
- 24 Through this process, our whaling captains are able to 25 review industry proposals and to work with the operators

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- 1 also provide some detailed written comments prior to the2 deadline.
- The Borough is generally supportive of oil andgas exploration within the area encompassed by Lease Sale
- 5 193, provided that these activities are conducted in a
- 6 manner that is safe for the environment and doesn't
- 7 negatively impact subsistence activities or resources.
- 8 Those subsistence activities and resources form the
- 9 foundation for meeting the nutritional needs and cultural
- 10 needs of many members of our community.
- As you stated earlier, the development of the
- 12 Draft SEIS has been in response to a series of Federal
- 13 Court decisions -- you guys are far more familiar with
- 14 them than I -- regarding the initial analysis beyond what
- 15 was incorporated in the underlying 2007 final EIS.
- This latest document specifically considers a
- 17 larger potential amount of producible oil within the lease
- sale area than what was evaluated in the initial EIS, and
- 19 an associated potential for higher levels of exploration
- 20 and production activity. You are aware that these larger
- 21 amounts also translate directly to a larger risk for our
- 21 amounts also translate directly to a larger risk for our
- 22 communities specifically as it relates to subsistence
- 23 activities.
- The Borough has consistently argued that if oil
- 25 and gas leasing and operations are allowed to occur in the

- 1 for a significant period of time are going to be people
- 2 that live in this area in the North Slope Borough. Since
- 3 we are going to be the first responders, our residents
- 4 need to have the best training available. There needs to
- 5 be the best equipment. And again, it needs to be sited
- 6 locally. I know that's redundant.
- 7 We saw what a delay did in the Gulf and, again,
- 8 open water and in an area where there is commercial
- 9 fishing. Those commercial fishermen sell their catch. As
- 10 Gordon Brower spoke to you today, nobody is selling their
- 11 catch up here. What they catch is their dinner table and
- 12 it's their freezer and it carries them through the winter
- 13 and it feeds their family. So there needs to be immediate
- **14** response, and that can only be done locally.
 - Decisions related to offshore oil and gas
- 16 activities have to be based on the best available
- 17 information, both Western science and traditional and
- 18 contemporary local knowledge. In many cases, and we like
- 19 to believe in all cases, the best available and most
- 20 current reliable information is actually local knowledge.
- A lot of studies are done by people from
- 22 universities that come up and spend a week here doing
- 23 studies. Harry Brower spends his whole life here. A
- 24 whole lot of difference between what you may read and see
- 25 in a documentary and what Harry and others in the audience

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- 1 Alaska Outer Continental Shelf, they have to be subject to
- 2 the highest standards of environmental protection,
- 3 including oil spill prevention and response preparedness.
- 4 Prevention has to be the priority. The old
- 5 adage, an ounce of prevention is worth a pound of cure.
- 6 Where an oil spill is difficult to clean up in any water,
- 7 as we saw in the Gulf of Mexico, nobody is experienced in
- 8 how to do that kind of cleanup in dark, ice-choked seas.
- 9 So we need to ensure that, again, there is a much higher
- 10 level of preparation than what we see elsewhere in the
- **11** world.
- While prevention has to be the paramount goal,
- 13 all levels of government, federal, state, and oil
- 14 companies and the impacted communities need to be fully
- 15 prepared to respond in the event of a spill. And as we
- 16 have discussed today, there needs to be a lot of
- 17 assistance at the local level to ensure that we are
- **18** prepared to respond. The lack of response by the Coast
- 19 Guard and other federal agencies to the barge adrift
- 20 creates a concern at the local level about their ability
- 21 to respond to something more significant.
- Additional infrastructure for the oil spill
- 23 response needed in the Chukchi coastal communities needs
- 24 to actually be sited in these communities. Again,
- 25 alluding to the barge, the first responders and probably

- 1 have lived for their entire lives. Current reliable
- 2 information is necessary to ensure that offshore
- 3 activities are planned and conducted in ways that
- 4 minimizes to the greatest extent possible any impacts to
- 5 the North Slope Borough residents, the Arctic marine
- 6 environment, while also providing as many benefits as7 possible.
- 8 In addition, baseline environmental information
- 9 is still needed in the Chukchi Sea. ConocoPhillips, Shell
- LO and Statoil have spent a large amount of time and
- 11 resources in helping to fill critical data gaps. North
- 12 Slope Borough and Shell are working to fill information
- 13 needs through a baseline studies program. Even with these
- 14 efforts, we need to better understand how the Chukchi Sea
- 15 and the resources that our community members depend upon
- **16** are responding to climate change and human activities.
- 17 This information is absolutely essential if appropriate18 mitigation measures are to be developed to identify
- 19 causes, as ecosystem changes continue to occur, and for
- 20 damage assessment and compensation in the event of an21 accident.
- Finally, oil and gas activities in the Chukchi
- 23 carry a considerable amount of risk for residents of the
- 24 North Slope Borough. Without the revenue sharing enjoyed
- 25 by other coastal regions in the nation or the placement of

24

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1	onshore facilities to support such as transportation	1	the current situation.
2	pipelines subject to local government taxation, the	2	And all these lease sales that go to the
3	Borough receives very little benefit while shouldering all	3	industries, where does that money go? We are going to be
4	of the local impact.	4	the people affected up here in the Arctic. Worst case
5	We strongly encourage the Administration and	5	scenario happens, there is an oil spill, who is going to
6	Congress to work towards an equitable arrangement for the	6	be we are going to be the cumulative impact. We are
7	sharing of revenues received from offshore leasing and	7	going to be impacted not by our ocean, by the industries
8	activities with the local community to help offset	8	out there if anything happens. Because if I read the EIS,
9	potential and realized local impacts from those	9	you know, that 700-page document on the CD, you know, they
10	activities.	10	talked about the side effects about impacts on the Exxon
11	And again, as I discussed today, the proper	11	Valdez spill, and yet they talk about people, you know,
12	formula for a distribution of revenue sharing would be a	12	they are depressed.
13	direct relationship between the federal government and the	13	And they talk about alcohol and drugs and
14	North Slope Borough rather than as a passthrough through	14	whatnot, but it shouldn't say that in an EIS because I
15	the State of Alaska.	15	read it. It's alcohol and drugs. It's addictive. It's a
16	Again, really thank you guys for coming up here.	16	disease. It doesn't matter if there is an oil spill or
17	There are a lot of folks with a lot of important	17	not. Shouldn't be printed in the EIS because we people up
18	information that we will pay attention to. Look forward	18	here, everybody depend on oil and gas throughout the
19	to working with BOEM as you move forward with this.	19	nation, but yet all these things are happening.
20	DR. JIM KENDALL: Who else would like to	20	Yes, we have the Arctic Slope Regional
21	come up front? Don't be shy.	21	Corporation. Yes, we have the North Slope Borough. And
22	MR. TOM OLEMAUN: I'm next.	22	yes, we have the tribal government. But as tribes, you
23	DR. JIM KENDALL: We know you are not shy.	23	know, we are a program service to our members, but yet we
1		1	

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1 evening. Thomas Olemaun for the record, Native Village of
 2 Barrow. I'm executive director, tribal council president.
 3 Welcome to Barrow. Lease Sale 193, it's been talked about
 4 by our forefathers. You know, Harry's generation,
 5 Delbert's generation way back in the day, but now in
 6 2013/2014, you know, we have issues. I mean, the way they
 7 keep saying the sea is our garden, yet it's on federal
 8 lease sales. And as the federal government -- you know,
 9 as a tribal government, as a service provider for the
10 Native Village of Barrow with about 3,600 people enrolled,
11 you know, there is no cumulative impact for anything out
12 there for our members because the people of the North
13 Slope, you know, we depend on the sea as our garden, but
14 yet there is issues that we have to go by the state
   regulation and federal guidelines.
16
          If worst case scenario happens, you know, they
17
   talk about oil spill, and there is -- how about the Coast
   Guard is 600 miles. I mean, we are way up in the Arctic
   and they have been studying the Arctic for some years, and
   there has been issues about oil spill response team and
21 all this stuff. Yes, we have Coast Guard here doing a
22 little sea ice over the years. Ten years be now sea ice
23 free. You know, it's been less ice. Delbert's
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24 generation, when they were kids, the icebergs were solid

25 back in the '70s and '60s, but nowadays it's very thin in

MR. TOM OLEMAUN: It's pretty hard not to

25 see my audience. All right. Good afternoon. Good

are a federal government, too, like you guys are; BSEE, BOEM, Coast Guard and whatnot. You know, it's nice to have BOEM here and welcome to Barrow, but we should have Coast Guard, BSEE, BLM -- I see back there State of Alaska -- you know, a roundtable discussion. Instead of repeating ourselves so many times to one agency, there should be all the federal government agencies represented up here. And that needs to start happening because we keep saying the same old thing. My dad back in the '70s, you know, they talk about the sea ice and the currents, ice currents, sea ice 14 currents, all these things happening, and yet they did not prove about cleaning under the ice or anything like that, 16 because our currents out there are pretty fast. 17 And it's just more communication. If we sit on the table with all the other agencies, you know, we will 19 be on the same page instead of repeating ourself over and over for 30 years about this happening and whatnot because if anything happens, then -- there is a pipeline under the water. Next thing you know, there are going to be roads 23 to the Trans-Alaska Pipeline. And it's going to affect **24** everybody up here on the north slope.

I mean, we have no road access to the villages.

24 don't get any impact stuff or impact aids to provide more

25 services for our tribal members. Where does that money go

1 when BP or Conoco get fined 300,000? It goes to the state

of Alaska. But out there in federal waters, you know, we

25

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- 1 It's a high cost of living up here. I mean, it's just
- 2 outrageous prices, especially in the villages. And there
- **3** is no competition. There is no economic development.
- 4 There is all these issues we have to hurdle by. But yet
- 5 our own marine mammals are either threatened or endangered
- 6 species. And it's just about time that we get together
- 7 and probably create our own North Slope Borough Coastal
- 8 Management Plan because the State of Alaska Coastal
- 9 Management Plan hasn't worked, but if we create our own up
- 10 here, at least we will have a plan for anything that
- 11 happens up here. Our own, very own.
- 12 And thank you. Good evening.
- 13 **DR. JIM KENDALL:** The floor is open for
- 14 anyone. I see lots of -- excellent. Thank you.
- 15 MS. ROSEMARY AHTUANGARUAK: My name is
- 16 Rosemary Ahtuangaruak. I'm a member of the Inupiat
- Community of the Arctic Slope. I'm also a member of the
- North Slope Regional Advisory Council, co-chair, and a
- participant with the National Tribal environmental health
- 20 think tank. I'm a resident here in Barrow, but I've lived
- 21 on the North Slope for a number of decades now. We have
- 22 expressed generations of comments over the years. The
- 23 importance in all of those generations of comments are
- 24 important to bring to this discussion today. The
- 25 historical changes are not included in the understanding

- 1 have that existing information.
- We do have a health assessment. We do have a
- 3 health impact assessment associated with NPR-A, but we do
- not have a health impact assessment for the offshore. We
- also need a human rights assessment of the impacts to oil
- and gas to us.
- 7 And it is really important that this process get
- started because the reality is there are a lot of human
- rights that are also at risk with this document and the
- risks that are cause for us to be concerned.
- 11 When you have to live in the village and you see
- 12 people coming in, they have trouble breathing, and you
- deal with these little babies, and they are -- you don't
- get to go to sleep at night because you have many babies
- that are having trouble breathing, you get very aggressive
- and try to come to every one of your meetings that say you
- are going to come out and change our lands and waters and
- increase the risks to our health of our future
- 19 generations.
- 20 So I keep coming back here and I keep learning
- more and more information. But we don't have a lot of the
- information that we are learning from the Lower 48 around
- the Gulf spill, as well as other areas where fracking is
- 24 occurring in oil and gas development processes. And there
- 25 is some really good information out there that gives us

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- 1 of your documents as we understand them, and some of these
- 2 discussions are really important to bring to this process
- 3 before us.
- I've brought a lot of concerns over the years
- 5 related to the process because I worked as a community
- 6 health aide in the village of Nuiqsut. Living in the
- 7 village near oil and gas development when I first started,
- 8 there was only one person who used medicine to help them
- 9 breathe, but as I continued to live in the village and oil
- 10 and gas development got closer and closer to the village,
- 11 the increased health problems increased in the village.
- 12 There is now a lot of research that is available
- that shows that a lot of the processes around the oil and
- gas development are negative to human health. There are
- chemicals of the emissions related to the development
- process as well as the flaring of the gas that occurs
- around the oil and gas development. They have chemicals
- that can affect our human bodies. The neurotransmitters
- or the endocrine disrupters, these are things that can 19
- 20 cause us to have some real serious health problems.
- 21 We already are seeing an increase in concerns
- 22 around diabetes, heart disease and hypertension and other
- 23 things, but we don't have the research that says what are
- 24 these chemicals that are being emitted in the tons and
- 25 tons per site. What is it doing to our bodies? We don't

- 1 more concern. And this information from a human rights
- assessment of hydraulic fracking of natural gas was done
- 3 for the State of New York, and there was another one that
- was done for the United Kingdom. I can leave you
- additional information about that in our written comments,
- but I only have one copy and I'm still working on
- communicating with them, so I can't leave them with you.
- But in here it shows a lot of the concerns that
- 9 I started as health aide asking questions, what's
- happening to our village. Why are we having these health
- impacts? And yet more and more oil and gas development
- was the answer that came to our region.
- 13 The reality is our state and our federal
- government has increased the impacts to our villages,
- especially the villages that are near where these
- activities are going to occur. Here in Barrow we have a
- flare that occurs three miles from our new hospital. That
- is a very concerning issue when we don't have the
- appropriate filtration that could occur in that flare to
- 20 reduce our impacts.
- 21 We don't have the appropriate mechanism to make
- 22 sure that they are burning at a high enough degree that
- they incinerate the particulates and decreasing impacts to 24 us, as well as we don't have a design in the process to
- 25 make sure that concerns that are coming from the oil and

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1 gas development process require informing the public so

- 2 our public can make an informed decision on whether or not
- 3 they want to come into Barrow to deliver their babies and
- 4 be exposed to the oil and gas development process that is
- 5 occurring here in Barrow or elsewhere.
- 6 All of these concerns with are cumulative health
- 7 effects, and we're seeing more and more problems with
- 8 leukemia occurring on the North Slope. There are many
- 9 people that are dealing with this problem. We don't have
- 10 a strong enough hospital for us to deal with these kinds
- 11 of cases. We don't have enough technical expertise at our
- 12 new hospital to deal with one patient, let alone many
- patients. The costs that occurs to our villages can bring
- 14 a person out with those problems or a child, it's a very
- expensive cost when you have people that have hats to be
- 16 other care providers for our community. Maybe they are
- our fire chief, maybe they are our mayor, maybe they are
- our teacher's aide, but they are very important roles that
- also leave when they get sick, and it's an important
- economic cost that's not assessed in some of your
- 21 assessments of these issues. These are astronomical
- 22 costs, and our Indian Health Services do not have the
- 23 resources to allow us to effectively treat and assess and
- 24 care for these illnesses, let alone the reality that these
- 25 processes have already been paid for with the previous

- 1 happen two weeks ago. It's a big concern, yet there has
- 2 been nothing. We don't even have the data sets existing
- 3 with our health assessment or the health impact assessment
- 4 to say what our impacts are to health from oil and gas
- development. We still have to get the data, and we have
- to work with our tribes to even get the data out of our
- own state data systems because it's not [indiscernible] to
- allow us to be able to assess from the state data sets
- what our tribal exposures are.

10 All of these issues are tremendous issues and

- 11 it's very concerning when you are dealing with this
- process because the reality is we are dealing with the
- risks of living here where oil and gas development is, as
- well as if there is an adverse event. And if there is an
- adverse event -- we have already failed to learn from the
- Exxon Valdez, what it did to the health of the people down
- there -- we still have failed to enforce getting a good
- health impact assessment with the Gulf, and yet you are
- coming here with another lease sale for us in Barrow.
- It's not right. It shouldn't occur this way.

21 We need these assessments to occur now before

- 22 you come up with these licenses to say you are going to go
- 23 out and do more drilling. The reality is you failed in
- 24 the previous process, and we had to make you go back and
- 25 redo it because we knew with our traditional knowledge

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- 2 existing oil and gas development process, let alone the
- 3 future oil and gas development processes. These have been
- 4 paid for in advance, but they never gave us the upgrade to
- 5 our hospital system to give us the best quality care.

1 development activities for oil and gas, let alone the

- Yes, we have a new facility, but it was designed 7 on the same square footage of 1950s of what was necessary
- 8 for patient care, and that's not adequate with what's
- 9 really needed. And now when you add the complexity of
- 10 having multiple illnesses within one person, let alone one
- 11 family, the costs are astronomical having to come back and
- 12 forth. We don't have the resources to bring everyone in
- 13 if they have a cardiac problem to go to the dietitian, to
- 14 go to the internal medicine doctor, to go in to the
- 15 radiologist, to go to all the other associated assisted
- 16 needs to deal with heart disease. And yet we are risking
- all of our population with increased emissions from one
- site, let alone many more that are going to come with
- 19 these lease sales. These are what's really important.
- 20 But when you deal with these little babies' eyes
- 21 and you have the mothers that are now coming to me and
- 22 asking me, am I having reproductive health issues because
- 23 of exposures that have happened to me -- you have several
- 24 of [indiscernible] come to you and ask you when you go to
- 25 the village. It's a very serious concern. I had that

- 1 that it was not a good assessment. Now we have more data
- 2 that says there are a lot more concerns that we did not
- 3 assess and we have no resources -- nothing in this
- document is going to trigger any resources to come to us
- when we have an adverse event, let alone prior to
- preparing for an adverse event and helping us to expand
- what the resources we need.
- We don't have enough resources for our fire
- department to be able to go out and respond in our coastal
- event if there were a fire with one of these boats. We
- don't have a fire boat out here. We don't have a lot of
- the basic equipment. We don't have control of our own
- training needs to be associated with these efforts to
- train our personnel to be able to respond appropriately to
- these adverse events. We have to work with the industry
- to get even to the table to have the training. That's not
- appropriate. We should be triggering to have all of these 18 resources already here for our community to be able to
- 19 respond.
- 20 We are dealing with a comprehensive plan for our 21 villages and for our region, and yet within that document
- 22 still we do not have any triggers to allow our tribes to
- 23 have any resources to be able to respond to any of the
- 24 needs to have this comprehensive plan. We need to have
- 25 these triggers incorporated into these documents so that

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- 1 we get resources here prior to the event so we can get
- 2 prepared and so when that when it does happen we have
- 3 people that are able to go out, as well as recognizing the
- 4 losses of the people that are going to happen because we
- 5 have family members that talked about losses that occurred
- **6** to health of people when they responded to the Exxon
- 7 Valdez.
- 8 And the reality is our families shared with
- 9 families that didn't have food down there. And we have to
- 10 have areas of our state that are going to be able to give
- 11 us whale if there is an adverse event in our ocean.
- So please, this is very important. You have a
- 13 document that shows that we are a very high risk for this
- 14 process, and reality is the profitability for this is not
- 15 for our benefit. The risk is for this.
- 16 Thank you.

MR. ROBERT SUYDAM: Good evening. It's

- 18 tough to go after Rosemary given the passion that she
- **19** brings to the table every time that she comes and gives
- 20 testimony at something like this.
- 21 My name is Robert Suydam. Last name is spelled
- 22 S-U-Y-D-AM. I'm a senior wildlife biologist with the
- 23 North Slope Borough. I've lived in Barrow for 25 years
- 24 and spent a couple years or a couple summers up here
- 25 before I moved up here.

- 1 And of course, with the large amount of oil
- 2 that's out there means that a lot of activity could come
- 3 along, very likely will come along unless oil prices
- 4 continue to go down; but I suspect that they will turn
- 5 around at some point and there will be a lot of
- 6 interest -- continued interest in the Chukchi Sea.
- 7 With more oil, of course, means there is a
- 8 greater risk in many different ways. The residents of the
- 9 North Slope and the resources that people up here depend
- 10 on have realized the potential risks for many, many years.
- 11 Some of those risks from oil and gas exploration, of
- 12 course, are noise and what noise does to marine mammals.
- 13 Of course, there is a lot of risk associated with a
- 14 potential oil spill which a few folks have talked about
- 15 tonight. And there is also just the presence of the
- 16 infrastructure. There is the presence of the vessels on
- 17 the water. There is the presence of a lot of people from
- 18 out of town coming to the villages, coming to the
- 19 communities and taking up resources.
- 20 And with potentially increased development in
- 21 the Chukchi Sea, I frankly don't think anybody is ready
- 22 for this. If there is the amount of oil that is out there
- 23 that is being evaluated in this EIS and the supplemental
- 24 EIS, the changes that could occur in Wainwright and Barrow
- 25 and other places on the North Slope could be gigantic, and

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- Today, though, my comments are not from the
- 2 North Slope Borough. Rob Elkins gave the official Borough
- 3 comments on behalf of the mayor. And my points are -- my
- 4 personal comments may get incorporated into some of the
- 5 Borough comments that are submitted as written comments
- 6 later on. But again, today I'm just speaking for myself.
- 7 I'd first like to thank BOEM for being here, for8 giving the opportunity for North Slope residents to give
- 9 comment on this action. That, of course, these public
- 10 hearings are important and appropriate. And Jim, you
- 11 being here, the director for BOEM in Alaska, to me that
- 12 shows how important these hearings are to BOEM and that
- 13 you really do want to hear from the communities.
- I'd also like to thank Pat from the Department
- 15 of Interior for being here, and that also shows me how
- **16** important these meetings are for the government. And so
- 17 thank you for that.
- The reanalysis for Lease Sale 193 I think was
- 19 incredibly appropriate. We have been hearing for quite a
- 20 while from industry that there is potentially a huge
- 21 amount of oil out there. And so doing this reanalysis and
- 22 looking at the risks of increased activity that comes with
- 23 the potentially larger reservoir, larger reservoirs, is an
- 24 appropriate thing for the agency to do. So thank you for
- 25 doing that.

- 1 the infrastructure isn't in place to deal with it. And
- 2 that's a concern because to develop infrastructure takes
- 3 years and years and years.
- 4 Thinking about oil spills, you know, I say, man,
- 5 if there is an oil spill, it's going to be devastating.
- 6 If there is an oil spill, there is so much money that gets
- 7 pumped into the system to take care of it that it will be
- 8 dealt with. But people that say that haven't been to
- **9** Wainwright. They haven't been to Point Lay or they
- 10 haven't been to Barrow. They don't realize that you could
- 11 land a plane and park one large plane at those landing12 strips -- not necessarily here in Barrow -- unload it, and
- 13 then move it before another plane can come in. So it
- 14 doesn't matter how much money is pumped into the system;
- 15 the system doesn't have the capacity to handle a large
- 16 response. They don't have the capacity to handle
- 17 increased development, even at five years out or ten years
- 18 out. There is a huge amount of work that needs to happen
- 19 and there is a huge amount of potential impacts to the
- 20 communities, to the subsistence hunters, and to the
- 21 resources.
- So of course, in an EIS, it's really assessing
- 23 the risks, assessing the impacts from the agency's
- 24 proposed actions.
- And first I guess I want to talk a little bit

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- 1 about impacts, a little bit more about impacts to people.
- 2 I distinctly remember in 2006 and we were sitting in the
- 3 federal building in Anchorage. It was an Open Water
- 4 meeting, and a lot of companies had come back and said we
- 5 want to go out there and explore. We want to be out in
- 6 the Chukchi Sea looking for oil.
- And Mayor Itta stood up and said, this is too
- 8 much. It's too fast and it's too soon. There is too much
- 9 activity, too much interest. It's happening too quickly,
- 10 and it's happening too soon. And even though we are now
- 11 eight years past that, it's still too much. It's still
- 12 too fast. And it's still too soon, that we are not
- 13 prepared to deal with it. And I think the EIS has tried
- 14 to evaluate the risks, but I just don't think a document
- 15 like this can really delve into the real risks that are
- 16 there and that need to be dealt with.
- Unfortunately, the benefits to the communities
- 18 don't really -- in my view, don't really outweigh the
- 19 risks. There is no revenue sharing, you know, so most of
- 20 the funding goes into the government's pocket. If people
- 21 start selling oil, it goes into the companies' pockets and
- 22 their shareholders' pockets. And of course, some of the
- unit shareholders poemets. That of course, some of the
- 23 corporations here are partners with oil companies, and so
- 24 there will be some funding that comes to the corporations,
- 25 and there will be some funding that comes to the North

- 1 things as deeply and as thoroughly as they should.
- 2 Of course, having all this activity creates
- 3 stress, and stress deals with some of the things that
- 4 Rosemary was talking about, some of those health impacts
- 5 on people. Some of it may be related to the things that
- 6 Rosemary talked about -- air quality issues, water quality
- 7 issues -- but a lot of that is compounded hugely by
- 8 stress, by having lots of changes happening in the
- 9 community, whether it's related to oil and gas or whether
- 10 it's related to all kinds of crazy scientists that are
- 11 coming up to the North Slope and doing work, or whether
- 12 it's related to the climate and it's changing. There are
- 13 so many things happening that it creates a huge amount of
- **14** stress in all the people.
- And again, I haven't spent a lot of time looking
- L6 at the EIS in the way that I would like to, but I suspect
- 17 the EIS really doesn't take into account the amount of
- 18 stress that folks are experiencing and how that influences
- 19 some of the other health aspects that the people are
- 20 struggling with.
- 21 Of course, there are impacts on subsistence.
- 22 And subsistence is critically important for the people
- 23 that live here, for the culture that lives here, that
- 24 subsistence provides huge -- it helps fulfill the
- 25 nutritional and the cultural needs. And frankly I haven't

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- 1 Slope Borough with infrastructure built on land. And
- 2 that's all positive. But something needs to be done to
- 3 change the balance of risks and benefits for all of this
- 4 work to go forward. There needs to be more benefits to
- 5 the people that live on the North Slope that outweigh the
- 6 risks.
- 7 So in the evaluation of impacts to people, I
- 8 didn't -- I couldn't tell in the document -- I haven't had
- 9 a chance to spend as much time looking at it as I would
- 10 like. In part that's because there is too much happening
- 11 here in the Arctic. A few years ago, I facetiously said
- 12 the federal government has more Arctic initiatives than
- 13 there are people who live in the U.S. Arctic. And that's
- 14 an exaggeration, but the number of people that attend the
- 15 meetings is a lot less than the number of people -- or the
- 16 people that comment on these kinds of things is a lot less
- 20 people that comment on these kinds of things is a for less
- 17 than the number of people that live here. And so maybe
- 18 the people that are involved in these kinds of
- **19** discussions, maybe the number of Arctic initiatives by the
- 20 federal government actually do exceed the number of people
- 21 living on the North Slope that participate in this. So to
- 22 me that's a major problem, that, you know, BOEM or the
- 23 other agencies, whether it's a lease sale or some other
- 24 action -- there isn't enough feedback because there aren't
- 25 enough people that have enough time to look at these

- 1 seen anybody that is able to evaluate impacts on culture
- 2 in an appropriate way. You can't simply -- if there is an
- 3 oil spill, how do you assess the damages to the culture?
- 4 How do you compensate for those damages? Frankly, I just
- 5 don't think it's possible. And so that's a huge struggle
- 6 that I think we all are going to struggle with in the
- 7 coming years. It's certainly a large topic and issue that
- 8 BOEM needs to deal with, but it's a large topic that we
- 9 all need to struggle with and figure out how to deal with.
- Impacts to subsistence, of course, often are
- 11 caused by impacts to some of the subsistence resources.
- 12 And I have noticed in the EIS a couple of places that talk
- 13 about impacts that we didn't catch earlier as a
- 14 cooperating agency, and I'd like to just kind of point out
- 15 a little bit here now.
- In the cumulative effects section on page 595,
- 17 the EIS talks about potential impacts from the proposed
- 18 activities on different marine mammals. And in that table
- 19 on page 595 it says that the impacts to bowhead and beluga
- 20 whales could be moderate from the activities in the
- 21 preferred alternative, at least if I'm understanding the
- 22 table correctly. And yet later on in the analysis of the
- 23 cumulative effects, the first sentences in the summary of24 effects on bowheads and belugas are that the effects from
- 25 the activities, from the preferred activity or from the

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- 1 preferred alternative will be negligible. And so I don't
- 2 understand how the impact assessment in Chapter 4 that's
- 3 talking just about the activities from the lease sale
- 4 could be moderate, but then the cumulative effects could
- 5 be negligible. I don't understand it. And maybe I just
- 6 haven't read it carefully, but just it leaves me
- 7 struggling to figure out what's going on.
- The section on walruses is another example where
- 9 it focuses on disturbance and that the activities are
- 10 likely to cause disturbance to walrus, and that's
- 11 absolutely true, given that Hannah Shoal in the lease area
- 12 is so important for feeding walruses. Unfortunately, I
- 13 don't think that there has been a lot of evaluation on the
- 14 impact to hearing of the walruses. Walruses seem to be
- 15 much more tolerant of seismic vessels or other human
- 16 activities. And right now we know amazingly little about
- what walruses hear, how sensitive their hearing is in the
- air or in water. And so it's a data gap that needs to be
- 19 evaluated and a risk that needs to be assessed.
- 20 Of course, the EIS is not only trying to
- 21 evaluate impacts, but it's also trying to mitigate
- 22 impacts. And so I'd just like to comment on a couple of
- 23 those things. That, you know, for mitigating impacts to
- 24 bowheads, as Harry mentioned, the CAA has been remarkable
- 25 at allowing the whalers, especially in the Beaufort Sea,

- 1 concentration areas, they may be deflected or they become
- 2 so skittish in their behavior changes that it becomes
- 3 harder for the beluga hunters in Point Lay to get what
- 4 they need. So please, please make sure that that becomes
- an important part of what decisions are made.
- 6 I think it will be easy to make it very adaptive
- so that companies are required to stage their vessels
- outside of the area and be in communication with Point
- Lay. And as soon as Point Lay is done, come on up, do
- what you need to do. And so please listen to the folks of
- 11 Point Lay.
- 12 I'd also like to kind of mention this as
- 13 something to consider in mitigation that is important.
- There are some areas that obviously are really valuable
- for hunters, especially coastal areas. Please make sure
- that you work with each community and the hunters to make
- sure that what the companies are doing, what the oil
- companies are doing is not impacting the resources that
- are in those hunting areas. Hannah Shoal, of course, is
- very important for walruses. Given that walruses are
- being considered for listing under the ESA and potentially
- could impact subsistence hunting at some points or
- another, need to make sure that their feeding habitats is
- 24 protected and their coastal haul-out areas are also
- 25 protected.

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- 1 to go out and hunt whales and provide food for the
- 2 community, provide support for the community culture and
- 3 community events. And so please, BOEM, continue to
- 4 support the AEWC and that agreement that they have with
- 5 the oil companies. That really does help mitigate impacts
- 6 to the subsistence hunt for bowheads. And of course, it
- 7 then also provides some help for bowheads and reduces
- 8 impacts.
- For belugas, I've often been troubled by how
- 10 BOEM does things as well as how NMFS does things in their
- 11 issuance of IHAs with regard to belugas in the Chukchi
- 12 Sea. Over and over again I've heard people from
- 13 Point Lay -- and I have said the same thing -- that please
- 14 do not let activities occur in the Chukchi Sea even 50 or
- 15 60 or 70 miles offshore until the beluga hunt in Point Lay
- 16 is done. Once the beluga hunt is done or July 15th,
- whichever comes first, then it's probably okay to send
- 18 ships out there. It's probably okay to have activity out
- 19 there.
- 20 But right now the best available science is that
- 21 belugas that come to shore near Point Lay are coming from
- 22 offshore. They are not coming from down the coast. They
- are coming from offshore out where the activity is. And
- 24 they are coming to these coastal concentration areas. So
- 25 if the belugas are disturbed before they get to the

- Barrow Canyon and then also the spring lead, of
- course, you have heard many times how important those are.
- You've heard from many hunters, many residents of the
- communities and many different scientists.
- Of course, this EIS, one of the things that
- motivated it, of course, is looking at greater oil that
- may be out in the Chukchi Sea. And cleaning up oil thus
- becomes something that's really, really important.
- Recently I've served on a national research council panel
- to look at preparedness of the Arctic for responding to
- oil spills in the Arctic. And it was pretty obvious that
- the conclusion of the folks that were on that panel and
- everybody that presented to the panel is that you can't
- clean up oil or you can't clean up very much oil, even in
- the best of conditions. So when you throw in ice and you
- throw in darkness and you throw in wind and you throw in the remoteness of the Arctic, that cleaning up oil becomes
- even more difficult. It doesn't mean you don't try. It
- 19 means you spend more time trying to prevent oil spills.
- 20 But it also means you spend more time being prepared.
- 21 And as Rosemary mentioned and others have
- 22 mentioned, the resources don't exist now to allow
- communities or to allow the government or to allow the
- 24 companies to be prepared to deal with an oil spill in any
- 25 kind of fashion. And so what does it take? It takes

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- 1 resources, of course, to train people. It takes resources
- 2 to have response equipment available to be able to
- 3 respond. And the money hasn't been there to date. Oil
- 4 companies have, of course, invested lots in their spill
- 5 response capabilities offshore, but what happens when the
- **6** oil comes near shore?
- So one thing that I've been thinking about is
- 8 OPA 90, Oil Prevention Act of 1990, sets aside a bunch of
- 9 money to respond to an oil spill. But unfortunately, OPA
- 10 90 doesn't allow those funds to be used to prepare for an
- 11 oil spill. And so using OPA 90 -- using some of the funds
- 12 or perhaps changing the taxing structure on oil so that
- 13 OPA 90 funds or some remnants of OPA 09 funds could be
- **14** used for oil spill preparedness. That may be a way for
- 15 the government to find the money to allow for communities
- 16 to be prepared and be better prepared for whatever might
- 17 happen in the future.
- 18 I guess just a couple of other things. Thanks
- 19 for letting me take so long, by the way. I'd like to
- 20 comment on cumulative effects assessments in the EIS. I
- 21 have never seen and still have never seen a cumulative
- 22 effects chapter in an EIS that, in my view, is adequate.
- 23 It's -- they are -- they have always been opaque. They
- 24 are not transparent about how people reach their
- 25 conclusions. They have never been objective, in my view,

- 1 impacts on people, is that the management actions of your
- 2 sister agencies haven't been evaluated here. Somebody
- 3 earlier -- I think Tommy mentioned, you know, that many of
- 4 the marine mammals are now being listed under the
- **5** Endangered Species Act.
- 6 So with the listing of critical habitat, with
- 7 potential regulations that come along with listing under
- 8 the ESA, it means there is additional stress on people and
- 9 there may be additional regulations on people. So if
- 10 folks aren't able to hunt polar bears or if they are able
- 11 to hunt fewer polar bears and there is all this oil and
- 12 gas activity going on, and there is this climate change
- 13 going on, that all of these things pile up on the
- 14 communities and on the hunters, and it affects food
- 15 security and it affects the ability of communities to
- 16 provide the nutritional and cultural needs that are there.
- So I think, again, it's worthwhile to include
- 18 those kinds of things that your sister agencies are doing.
- **19** Just today a listing of critical habitat, a proposed rule
- 20 for listing a critical habitat for ringed seals was
- 21 released by NMFS. We have all known that that was coming.
- 22 And including those kinds of things in the cumulative
- 23 effects section would be worthwhile.
- So as Rob Elkins mentioned in the Borough
- 25 comments, that decisions really do need to be based on

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- 1 in part because they are not transparent. And that needs2 to change.
- 3 And frankly, I think it's something that
- 4 agencies are really vulnerable on, that listing the
- 5 different activities that may be occurring that could
- 6 affect bowhead whales or beluga whales or people, whether
- 7 it's activities in Russia or activities in Canada or all
- 8 the past, present, and reasonably foreseeable activities
- 9 in the Chukchi and Beaufort Sea, that just listing those
- 10 isn't an analysis, in my opinion. It's not objective.
- 11 The conclusions aren't -- there is no -- there is no
- 12 trail. There is no connection between the list of all
- 13 these activities and the conclusions that the cumulative
- 14 effects would be negligible or moderate or minor or
- 15 whatever the conclusions are.
- And I think that we all should work together to
- 17 figure out how to change that to make the process easier
- 18 to understand and easier to implement. So I encourage
- 19 BOEM, whether it's through this EIS or the studies program
- 20 or some other mechanism to really pursue that. Strides
- 21 have been made in academic circles to improve cumulative
- 22 effects, and I think there are some good potential things
- 23 out there that could be used.
- One of the other things that isn't in the
- 25 cumulative effects section, especially as it relates to

- 1 information. They do need to be based on science. And I
- 2 want to congratulate BOEM on the huge amount of
- 3 information that you have collected over the last 30 or 40
- 4 years that those -- that information has certainly helped
- 5 with the analyses, that -- you know, the cumulative
- 6 effects analysis, impact analysis. But there is still a
- 7 huge amount that is needed. We're talking about a giant
- 8 ecosystem, a giant area with very few people, very little
- 9 infrastructure, and it makes it very difficult.
- 10 So BOEM has made great strides. Oil companies
- 11 have made strides. The North Slope Borough has invested
- 12 lots of resources in trying to better understand how the
- 13 Arctic works and how the resources and the people
- 14 interact. But that needs to continue, and that
- 15 information needs to be used to inform decisions.
- So again, thank you for letting me drone on for
- 17 a long time. Thank you guys, too, for letting me talk a
- 18 lot. I really appreciate it. And thanks again for being 19 here.
- **DR. JIM KENDALL:** Thank you, Robert. To
- 21 be courteous to our court reporter here, Mary, typing, can
- 22 we take a ten-minute break, give her a chance to rest her
- 23 fingers? This is very productive. Thank you. Ten-minute
- 24 break.
- 25 (A break was taken.)

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- **DR. JIM KENDALL:** We are now back in
- 2 session. The floor is yours. And your name, please.
- 3 MS. SARA THOMAS: My name is Sara Thomas.
- 4 I am a resident of Barrow. I've lived here for 18 years
- 5 since I was a child. I am a professional. I work here at
- 6 Ilisagvik. I have children in the North Slope Borough
- 7 School District, and I'm the wife of a hunter, of a
- 8 subsistence hunter in Barrow. I'm also a UAF rural
- 9 development student. But I'm here representing myself, my
- 10 personal views and opinion. And like I just told
- 11 somebody, I'm kind of representing people who don't read
- 12 these long documents, which is most of us. Let's be
- 13 honest.
- Some questions that I have that I'd like
- 15 to see in this report, if I had the time to sit down and
- 16 read it between being a full-time mother, professional and
- 17 student, I'd like to know: How much money are human lives
- 18 worth? I'd like to know: How much money is Inupiat
- **19** culture worth? And I'd like to know: What is the
- 20 nutritional value of the U.S. dollar? These are important
- **21** questions that I think are really -- really should be
- 22 reflected in this large document that you have provided.
- 23 My second question is about jobs because I hear
- 24 that a huge reason for continued development of our -- of
- 25 nonrenewable resources here on the North Slope is that

- 1 we do use vehicles -- I'm going to leave here in a vehicle
- 2 that is going to burn a fossil fuel -- that yes, I do use
- 3 a lot of plastics, I'm not 100 percent anti-development.
- 4 I am 100 percent pro-sustainable development. And what we
- 5 have now is what we have been given, and it's not -- it's
- 6 not good. We want a better way. When I say "we," I mean
- 7 people of my generation. I'm in my twenties. If you look
- 8 at trends, current trends, do it yourself, chemical free,
- 9 free trade, sustainability. These is -- this is what we
- 10 want. We feel that continued oil and gas development is
- 11 clinging to go a way that has proven to be bad in so many
- 12 ways for our society, whether it's on dependency, whether
- **13** it's climate change.
- That's all I have to say. Thanks for letting me
- **15** speak.
- MR. PATRICK GRIFFIN: My name is Patrick
- 17 Griffin. I'm also one of the directors at KBRW Radio, but
- 18 I'm here by myself.
- 19 A few things: Like on the oil spills, I know
- 20 that they are going to want to use oil dispersants like
- 21 they did in the Gulf. And then EPA told them to stop, but
- 22 they never did. They just took a fine. And then the
- 23 health factors. Everybody got sick down there, which goes
- 24 with her, using the oil dispersants. And then they
- 25 couldn't use any of the shrimp or anything like that.

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- 1 it's going to provide more and more jobs for locals here.
- 2 I would challenge you to go on an Alaska Airlines flight
- 3 to the Slope. We have to all the time because our flights
- 4 go from Anchorage to -- or Fairbanks to Prudhoe and then
- 5 to Barrow often. My observation is there are very few
- **6** local people. My observation from hearing conversations
- 7 is they don't like their jobs.
- 8 I'd like to know -- I'd like to know what this
- **9** does for our society here. And there is some research.
- 10 I'm going to cite The Institute of Noetic Sciences, which
- 11 I realize is somewhat of a pseudo science because it's
- 12 new, but there is research about mass consciousness and
- 13 its power over the society. So this is why I think this
- 14 is a really important aspect of what's going on here. How
- 15 does the unhappiness factor of people that are here solely
- 16 for money, how does it affect us here? How does this
- 17 affect them when they go back home and their families?
- 27 direct them when they go odek nome and them ramme
- My third question is I would also like to know
- 19 how these developments are affecting myself, my toddlers,
- 20 my unborn child. I'd like to know how we are being
- 21 affected by the gas flare that's out there at gas well.
- 22 And I'd like to know this in layman's terms, otherwise
- 23 known as human terms, which is not what I've observed in
- 24 these large booklets.
- I would just like to comment that although, yes,

- 1 There is no tests on what the effects would be on the
- 2 plankton that the whales use here and also the fish they
- 3 will be eating. Everybody eats their fish around here.
- 4 Goes through the ocean, then it will go through the oil
- 5 dispersants. We need to have a test on the oil
- 6 dispersants to make sure it's safe to use for the
- 7 environment, for the nature, because it did so much
- 8 destruction in the Gulf.
- **9** And let's see. The next thing, we don't have
- 10 any way of stopping an oil spill. Just at 100, 120 feet,
- 11 that's just like taking a big old, say, foot-diameter hose
- 12 at 80 pounds of pressure and hitting concrete on the floor
- 13 and it just bursts so fast, where in the Gulf which was
- 14 over a mile to the surface, it took forever and we could
- 15 control that. Here you are only at 100 feet. It will
- 16 disperse so fast, we don't have enough ships, boats,
- anything to control that. There is no way of containingthe oil. And then once it gets underneath the ice and the
- 19 icebergs going through there, there is no way of cleaning
- 20 up the icebergs. No one has ever tried or any studies on
- 21 that, either.
- Let's see. We need some studies done on oil
- 23 dispersants, the dangers of it, not to use the same ones
- 24 that they used down there in the Gulf. Come to find out
- 25 the oil companies that had the oil spill is the one who

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- 1 owned the oil dispersant company, and they just took a
- 2 fine and just kept on using it, no matter what it did to
- 3 the people, the nature, the shrimp, everybody.
- And up here the plankton feeds the whales. Now,
- 5 if that plankton [sic] destroys all the plankton, we were
- 6 going to have a major problem here because all the whales
- 7 will just die off because it's their calving grounds and
- 8 there is no way of -- so we have to either put regulations
- 9 not to use dispersants, find a way to clean up the oil
- 10 spill without any dangerous chemicals for the environment.
- 11 And find out how you can clean the bottom of the ice
- 12 because it's just going to --
- 13 And the dispersal rate -- you know, it will
- 14 disperse -- like one acre in the Gulf takes, you know, a
- 15 few hours. Up here at 110 feet, you will have half a mile
- 16 dispersal rate. So every hour it's miles and miles, where
- 17 in the Gulf you could control that. There is enough shift
- 18 to be -- because it comes up in a small stream and it
- 19 would be contained in one area. Here, that shallow, it
- 20 just wipes out the whole -- there is not enough ships
- 21 anywhere in Alaska to contain that much oil because it's
- 22 so shallow.
- 23 Thank you.
- DR. JIM KENDALL: Thank you, sir. Floor 24

2 Good evening. Delbert Rexford, for the record. Before I 3 provide testimony, I just want to thank those that spoke

4 before me. And I respect their views, their comments and

6 different perspective coming from the corporate for-profit

7 organization, such as Ukpeagvik Inupiat Corporation. And

9 Edwardsen who cannot be here tonight, and he expresses his

8 I will read verbatim the testimony prepared for Anthony

5 how they have articulated their concerns. I've got a

10 apologies. But as we speak, he's in New Orleans

11 conducting business, and that business is tomorrow

12 hopefully at 9:00, the new vessel Ungalak that we built,

14 Year by the work boat industry not only in the United

19 my name is Delbert J. Rexford, Sr., advisor to the

21 in the capacity of chairman of the Arctic Inupiat

States, but in the world.

13 we are hoping that it will be awarded the Work Boat of the

18 Sale 193 Environmental Impact Statement. For the record,

22 Offshore, LLC, or AIO. He also serves as the President

24 for-profit corporation created under the Alaska Native

25 Claims Settlement Act of 1971 with the purpose of

23 and CEO Ukpeagvik Inupiat Corporation, or UIC. UIC is a

20 President/CEO, Anthony E. Edwardsen. Mr. Edwardsen serves

Good evening. Thank you for the opportunity to

provide comments on the Draft Second Supplemental to Lease

25 is yours. You have been waiting.

- 1 providing economic benefits to its shareholders. UIC has
- 2 2,665 shareholders, most of whom reside in Barrow. UIC is
- 3 a member of the Arctic Inupiat Offshore, LLC, which has
- made an investment in leases that were sold under the
- Chukchi Sea Lease Sale 193. UIC is unified with five
- other Arctic Slope village corporations and with our
- regional corporation and have a strong interest in the
- draft SEIS.
- One thing the federal government failed to do
- when it sold leases in the Chukchi Lease Sale 193 was to
- deliver revenue sharing to those communities closest to
- the exploration, the development and future production of
- oil and gas reserves through federal impact funds. The
- National Petroleum Reserve Alaska impact -- mitigation
- impact fund program is a classic example of how federal
- revenues can and should be shared with affected
- communities in the like manner as revenues are shared with
- other coastal states in the continental Lower 48 states.
- 19 When the federal government held National
- 20 Petroleum Reserve of Alaska oil and gas lease sales, the
- NPR-A mitigation grant program was created to provide for
- revenue sharing from the oil and gas lease sales which
- directly resulted in the deliverance of \$10,462,965 in
- grant program funding to the impacted communities of
- 25 Nuiqsut, Barrow, Atqasuk and Wainwright. Affected Alaskan

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MR. DELBERT REXFORD, SR.: Good evening.

- 1 communities have not received OCS federal revenues as a
- 2 result of outer continental shelf lease sales. The
- 3 long-term results of lease sale activities without revenue
- 4 sharing will result in all risks taken entirely by
- affected Arctic slope communities within the Chukchi Sea,
- changes to our oceans and sustenance through drilling, but
- we would not receive a penny to support our communities'
- growth and socioeconomic impact needs as a result of
- future oil and gas activities.

10 This situation creates frustration and strong

- opposition to OCS activities within our communities. Let
- me justify that. I have previously served as regional
- tribal council member at large for Inupiat Community of
- 14 the Arctic Slope and requested that a referendum be put on
- 15 the ballot on where we stand on offshore issues. The vote
- was 50.6 against and 49.4 in support of oil and gas
- development. So you can see the close margin within the
- region for OCS development, which was a ballot measure
- within the regional tribal government.

20 This situation creates frustration and strong

- 21 opposition to OCS activities within our communities. It's
- 22 created a division within our culture in a place where we
- have to be good neighbors to survive together as a people.
- 24 We were frustrated the federal government went forward
- 25 with oil and gas activities despite the validity of our

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- 1 concerns for revenue sharing. We were provided a public
- 2 process to attend public hearings and asked for input
- 3 after the fact.
- 4 The separation and divide of our communities due
- 5 to OCS activity created an opportunity for outside
- 6 interests to prevail, to speak for us, to represent us and
- 7 to use us as legal and political pawns domestically and
- 8 internationally. There have been many lawsuits filed, and
- 9 this draft SEIS is a result of such legal action by
- 10 outside interests.
- And as I stated earlier, I respect the comments
- 12 that have been articulated regarding human health. There
- 13 is also the other side of economic opportunities for those
- 14 economically depressed communities that have
- 15 multigenerations living in households without a job within
- 16 a household.
- As elected leaders, we decided to be proactive,
- 18 to have a full and meaningful seat for oil and gas
- 19 activities within the Chukchi Sea. Each time there is a
- 20 lawsuit, projects, economic and employment opportunities
- 21 are delayed for Arctic slope shareholders and their
- 22 descendents as they are brought to a screeching halt,
- 23 creating a delay with negative economic impacts and
- **24** effects on our for-profit corporations.
- We decided to take control of the outside rifts

- Oil and gas property taxes is the major source
- 2 of every infrastructure that is operating in all eight
- 3 villages. And if we were to take -- turn the switch off,
- 4 where would this revenue stream come from? I don't think
- 5 we want to take that and jeopardize three billion dollars
- 6 worth of infrastructure now or in the future.
- We took it upon ourselves to engage in to have a
- 8 seat at the table to guide Shell in its operations to
- 9 assure responsible and sustainable development as a
- 10 priority for our communities and environment within Arctic
- 11 waters and our participation. This is very important for
- 12 our shareholders and residents to understand.
- We have the traditional knowledge and
- L4 contemporary knowledge, expertise and ability to influence
- 15 how future OCS programs will be operated as a partner with
- 16 vested interests. And when they are successful, we, as
- 17 the Arctic Inupiat Offshore, LLC, will also receive the
- 18 rewards of our investment, passing it on to our
- 19 shareholders through dividends, economic and employment
- 20 opportunities, not only to today's generation, but to
- 21 future generations. We must be actively engaged to assure
- 22 our Inupiat ways of life are sustained now and into the
- 23 distant future generations through responsible and
- 24 sustainable oil and gas development. It is critical that
- 25 we are at the table instead of being on the outside

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- ${f 1}$ that separated our efforts to provide employment and
- 2 economic opportunities for families that need jobs to feed
- 3 and support their families on a daily basis. UIC joined
- 4 with Nunamiut Corporation, Kaktovik Inupiat Corporation,
- 5 Atqasuk Corporation, Olgoonik Corporation, and Tikigara
- 6 Corporation, and our regional corporation, Arctic Slope
- 7 Regional Corporation, to form the Arctic Inupiat Offshore,
- 8 LLC. We needed to do this because OCS was going to happen
- 9 and is becoming inevitable. We needed to capture and
- 10 sustain economic real benefits, not just take all the risk
- 11 as communities as OCS is developed and resources are
- 12 delivered to market.
- We did something we never contemplated before.
- 14 In the 50 years of oil and gas activities on land, we
- 15 never thought for a moment that we would buy into a lease
- 16 sale interest. We bought an interest in the leases Shell
- 17 owns. We bought and invested into the proposed OCS to be
- 18 an active participant and a partner to protect and
- 19 preserve our oceans, our renewable resources by getting a
- 20 seat at the table with oil and gas industry to work with
- 21 and guide them through the processes. So despite the fact
- 22 of not having had the opportunity to have a vested

24 looked to the federal government to take into

- 23 interest in OCS activities through revenue sharing, we
- **25** consideration our needs.

- 1 screaming and hollering till we are blue in the face.
- Our comments on the Draft Second Supplemental
- 3 for the Lease Sale 193 SEIS are very short. First, we
- 4 have not been afforded the time to thoroughly review the
- 5 draft document. Our comments is based on our investments
- 6 and what we know may occur in the future in terms of OCS
- 7 activity, economic employment activities, putting our
- 8 workforce together for oil spill response and all the
- 9 other vessels that are needed to protect our interest as
- 10 subsistence hunters and users of the renewable resources
- 11 within our garden. We understand the scope of the Draft
- 12 SEIS is very narrow as defined by the Ninth Circuit Court
- 13 of Appeals in its remand.
- Thank you to the Borough of Ocean Energy
- 15 Management for releasing the draft SEIS in a timely
- 16 manner. Arctic Inupiat Offshore, LLC will be providing
- 17 more extensive review comments on the Draft SEIS prior to
- 18 the end of the public comment period which ends on
- 19 December 22, 2014. We do ask BOEM maintain its schedule
- 20 and not let it slip so that we can have a timely Record of
- 21 Decision issued and hopefully close this matter about
- 22 Lease Sale 193 for the mutual benefit of our nation, of23 our shareholders and our collective constituency that
- 24 resides not only in our part of the region, but in other
- 25 neighboring communities like Northwest Arctic Borough,

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- 1 Norton Sound and others that may benefit on a statewide
- 2 basis from this activity.
- 3 Thank you for your time and attention on this
- 4 critically important matter. As I stated, I respect the
- 5 views and comments that have been articulated regarding
- 6 human health and concerns for emissions or for concerns
- 7 for cumulative impacts.
- 8 At a very tender age I was taught that
- 9 prevention is equal to a pound of cure. Prevention at all
- 10 levels is crucial and critical in all activities.
- 11 Additional more detailed comments are forthcoming from our
- 12 offices prior to the December 22, 2014 deadline date for
- 13 comments.
- 14 I'd just like to hand the NPR-A Impact
- 15 Mitigation Grant Program Report to the Second Session of
- 16 the 27th Alaska Legislature on how we, the impacted and
- 17 affected communities of Nuigsut, Atqasuk, Barrow and
- 18 Wainwright, expended those revenue sharing dollars. This
- 19 is a good model to look at so that communities like
- 20 Nuigsut can get answers for emissions, human health. All
- 21 these issues can be funded for these purposes. So I'd
- 21 these issues can be funded for these purposes. So I d
- 22 like to submit that as a supplement to my testimony on
- 23 behalf of Anthony Edwardsen, President and CEO of
- **24** Ukpeagvik Inupiat Corporation.
- 25 And I thank you for this opportunity. We know

- 1 are. And we as community members -- I applaud each and
- 2 every one of you for your opinions and for your concerns,
- 3 just as I have. And I just want to encourage you to
- 4 uphold Lease 193 because for the very reasons that Delbert
- 5 spoke in reference to the benefits.
- 6 In prevention we as individuals are in control
- 7 of our own health. And as children, sometimes they don't
- 8 have the option. They are not in control when there is
- 9 smoke, parents smoking cigarettes in their households,
- 10 mothers smoking cigarettes when they are pregnant. These
- 11 are some of the issues that we deal with. And it's not
- 12 all from the industry. It's part -- part of it is, yes, I
- 13 agree, Rosemary. I respect your opinion. I grew up smoke
- **14** free. And I made sure my children grew up smoke free.
- 15 But as they grew up, if they choose to smoke, that's their
- 16 business. I've done my part.
- But in order for us all to be involved in what
- 18 is happening here -- and it's been very evident that it is
- 19 coming. We have fought a fight to keep it from happening
- 20 for many years because it is our -- our life source. It
- 21 is our -- our table, as many people say it is. That's
- 22 where we -- we receive our -- just the Thanksgiving feast
- 23 that we have in our churches. We were blessed this fall.
- 24 Last spring wasn't too great because of the ice
- 25 conditions. And as Chairman Brower stated, fall whaling

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- 1 that this is a very sensitive matter not only to those
- 2 that are here that are present, but all across each
- 3 community that we serve and have the honor of serving day
- 4 in and day out in one capacity or another. Thank you.
- 5 **DR. JIM KENDALL:** Thank you. The podium 6 is empty.
- 7 MS. EDITH VORDERSTRASSE: It's not. I'm
- WIS. EDITH VORDERSTRASSE, It's not. 11
- 8 going to turn around because I would like to make a
- **9** suggestion to you folks when you have these hearings. If
- 10 you would turn the podium around so that whoever is giving
- 11 testimony can see the audience. It's very uncomfortable
- 12 trying to speak to an audience when you have your back to
- 13 them. So that's my suggestion. I'm Edith Vorderstrasse,
- 14 former resident of Barrow, but I currently live in
- 15 Anchorage.
- 16 I first became involved in -- when someone
- 17 approached me and asked me if I would become involved in
- **18** working with one of our corporations in reference to
- 19 offshore drilling. My answer to them at first when I went
- 20 to my interview was, I said, no and hell no. And then two
- 21 individuals came to me and asked me, okay, can you become
- 22 involved in trying to help put protective measures in this
- 23 area? I said, if you put it that way, I can. Because I
- 24 was born and raised here in Barrow, I know how important
- 25 our ocean is, I know how important our land, our rivers

- 1 may be -- may become even a greater hunting season than
- 2 what we currently see it as Barrow, Kaktovik, Nuiqsut,
- 3 Point Lay and Wainwright have been hunting whales in the
- 4 fall. Barrow has been blessed with two seasons, spring
- 5 and fall. And that is our life source.
- And one of the things that I tell people,
- 7 project managers, when it comes to whaling, when this
- 8 comes to our seasons, I always say, know your seasons.
- 9 Know our seasons because I don't want you coming to me and
- 10 telling me, my guys didn't come to work today. I said,
- 11 what did I tell you? I told you, you make sure you have a
- 12 group of people in line to come to work if no one begins
- 13 to not show up because of our hunting. This is very
- 14 important to all of us.
- You know, I grew up, and I know when Rosemary
- L6 moved to Nuiqsut, it was hard work trying to live in a
- 17 small village like that. I lived as a child bringing in
- 18 ice, bringing in snow. I remember waking up only once as
- 19 a child to a cold house, and I'm one of those who are
- 20 blessed because I just remember one time. My father was a
- 21 hard worker, a great provider, and that is what he did for
- 22 my family, our family. He made sure we were warm, we were
- 23 fed, and he was a great hunter.
- And when the Navy came here and brought natural
- 25 gas out here first in 1964, this community was blessed

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- 1 with natural gas, and that's how we have heated our homes.
- 2 That's how we have generated our electricity. I'm on the
- 3 utility board. I have been involved with the utilities
- 4 for many years and knowing villages spending thousands,
- 5 hundreds and thousands of dollars just to bring in fuel to
- 6 generate electricity and to heat their homes. That's
- 7 tremendous. And what we pay right here in Barrow is
- 8 awesome. Our utility bills for my household for water,
- 9 gas and electricity is about \$354. That's for three
- 10 utilities. That's probably double in some of these
- 11 villages for heating.
- 12 And we all enjoy the lifestyle that we live, not
- 13 having -- you know, it used to take me all day to do
- 14 laundry because we took turns doing chores on weekends.
- First beginning of the week we had to bring in the snow to
- **16** 55-gallon drums. And what makes me upset is when mothers
- get upset at their children for coming in with dirty pants
- or wet imaaktaq. And I just say, what's your beef? All
- you have to do is stick it in the washer and throw it in
- the dryer. You don't have to melt snow or use a wringer
- washer. These are things that we have endured. And this
- younger generation does not understand that.
- Even honey buckets. In fact, someone on the
- 24 airplane was asking me if we still have honey buckets. I
- 25 said, yes, there are still some who have honey buckets.

2 work with the late Representative Maclean. When we came

4 our daughter grew older, we went to Anaktuvik to visit her

5 grandmother and went to a graduation there, and she said,

7 And I laughed and I said, the honey bucket. If that's not

8 good enough for you, I said, you can run to the school and

9 use the toilet there. These are things that we have grown

6 Mom, Grandma has a honey bucket. Where am I going to go?

3 back my husband had installed our flush toilet. And as

- 1 are in -- in the EISs, in the impacts.
- And as Chairman Brower stated, work with us.
- 3 Convince -- keep working with the industry to say work
- 4 with the Conflict Avoidance Agreement. That's a very
- 5 important agreement. And that's something that we need to
- work with. And I really don't appreciate some of the
- industry groups who have chose not to -- not to comply by
- 8 it. It really gives me disheartening. And in the work
- 9 that I do, I try to convince them. And I say, this is a
- good program. If you want to be involved, get involved in
- 11 this. Sign the CAA. Whether in the Beaufort or in the
- Chukchi, that's something that is in place, and I
- really -- I will stress, along with Harry and Robert, that
- 14 this is something that you as BOEM need to take into
- consideration when these leases are happening. We need
- our protective measures.
- 17 And I -- I drive a Prius in Anchorage, and
- 18 people flick me crap about driving a Prius, but you know
- what? I enjoy it. We as individuals need to do our part
- in conservation, in trying to make sure that our children
- will be able to enjoy and our grandchildren what we have
- 22 enjoyed. But we have to take part in it. And I told the
- 23 young lady out there they said, are you going to testify.
- 24 I said no. So she can change my N to a yes.
- 25 But I want to thank you for coming. And it's

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- 1 something that we as individuals -- for myself, I know I
- wouldn't -- wouldn't want my children to go back to the
- 3 way I lived when I was a child. I had lots of fun. I did
- not -- we did not need entertainment. We didn't need
- computers or all the things that our children are addicted
- 6 to. And I get crap for leaving my cell phone at home
- sometimes, and I just say, you know what, sometimes I just
- like to be disconnected.
- 9 So thank you.
- 10 **DR. JIM KENDALL:** Thank you very much.
- 11 MR. CRAIG GEORGE: That's a tough act to
- **12** follow.

DR. JIM KENDALL: Edith, we liked your 13

- 14 comment. If people want to come and face the crowd,
- that's fine. It's just good if Mary can see your face
- while she's typing. That would be a big help. So if you
- 17 want to stand here and face the crowd, that's fine.

MR. CRAIG GEORGE: Thank you. For the 18

- 19 record, my name is Craig George. And as usual, I'm going
- to make some very bowhead-centric comments on this. I've
- 21 studied bowheads for over 35 years here. And anyway, so a
- 22 few specific things on the draft. First a compliment:
- 23 Page 88, the literature is current. That isn't typically
- 24 the case. You used the Quakenbush, Citta, et al.
- 25 telemetry data this time. That's good. That was admitted

1 My daughter was four when we moved to Juneau for me to

11 And you know, some people say we want to live 12 the way we used to live. I certainly don't. I really

- 13 don't wish -- even living in Anchorage and not using
- 14 natural gas to cook on is the pits, but that's -- that's
- Anchorage. Where I live I don't have a gas stove that I
- can just turn on. I came home here for Thanksgiving, and
- 17 I love turning on that stove because it's instant heat, 18 and you can turn it off and it's off.
- 19 So I just want to thank you folks for coming,
- 20 taking testimony and listening to the people who have
- 21 requested you to do this. It's been a long road for all
- 22 of us. And it's inevitable that it's going to happen,
- 23 so -- but I want to make sure that corrective measures are 24 made. That's why I became involved so that we can work
- 25 with the industry to try to make sure corrective measures

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10 up with.

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- 1 in one of the last drafts. The estimate is correct. The
- 2 current estimate is 16,982. And the gentleman who
- 3 computed the estimate is sitting in the back of the room,
- 4 Geof Givens. So if you have any questions about the
- 5 statistical methods, there is your man. You may not
- 6 understand it, but there he is.
- Page 277, I think you are correct in identifying
- 8 a spill in the spring lead as a catastrophe. That is
- 9 something we heard comments from a number of people that
- 10 that is something that absolutely can't happen or you have
- 11 got to prevent, rather.
- Page 278, the analysis was interesting in that
- 13 ship strikes are considered a lot problem. I agree, based
- 14 on the experience of North Atlantic right whales in the
- 15 northeast coast. Bowhead's ugly cousin, as they are
- 16 sometimes referred to. They have a lot of problem with
- 17 ship strikes. And I think you are right; as ship traffic
- 18 increases, that will -- that incidence will increase.
- 19 However, right now it's low. I think we only have about
- 20 six animals with evidence of scarring from ship props and
- 21 that sort of thing out of maybe 500 animals examined. But
- 22 nonetheless, I think that is an issue. But the analysis
- 23 suggested that the ship strikes would be a bigger problem
- 24 or source of mortality than oil spills. That's page 278.
- 25 That seems speculative.

- MR. CRAIG GEORGE: Well, it wasn't cited
- 2 there. So just take a look. Again, I wasn't studying
- 3 this all day, but -- I didn't see it cited there.
- 4 And just as an interesting aside, the little
- 5 local knowledge that back in the day when we used to burn
- 6 at the dump, remember all burning ceased in the spring
- 7 during whaling because of the prevailing wind that came
- 8 from here, the smoke plume went offshore, the hunters said
- 9 that's going to deflect the whales. So we shut down -- it
- 10 was always shut down and then it was resumed after the
- 11 hunt.
- And now the philosophical part. Part of the
- 13 Givens analysis, the work that we have done actually for a
- 14 number of years, but the most recent analysis, there is a
- 15 trend analysis that indicates that bowheads are doing --
- 16 still increasing. There is no evidence of
- 17 density-dependent effects. They don't seem to be slowing
- 18 down or reaching carrying capacity, and there is a couple
- 19 reasons for that -- probably a lot of reasons -- but one
- 20 of them is clearly -- the reason the stock is doing
- 21 extremely well is because the habitat is in such good
- 22 shape. Very little industrialization of the bowhead
- 23 habitat, but save human impacts. And unlike whales
- 24 elsewhere that are struggling in some populations, at
- 25 least, they are doing well. And I think you have heard a

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- I would think that for a number of reasons, if I
- 2 understood this right -- but for a number of reasons I
- 3 think higher mortality rate would probably come from a
- 4 spill and probably from baleen fouling. It probably will
- 5 be one of the -- probably one of the things that really
- ${f 6}\;\;$ leads to energetic problems with the animal, that sort of
- 7 thing.
- 8 And in that regard, I would suggest more
- 9 analysis of that particular problem, baleen fouling and, I
- 10 don't know, studies or -- there has been some work done,
- 11 but I don't think it's necessarily the best study design
- 12 on that.
- Page 328, in reference to effects to subsistence
- 14 from various activities, I think that's a good place to
- 15 cite that there is new evidence that, of course, the
- 16 hunters have told us for years and years that bowheads can
- 17 smell. And we have worked with very good anatomists here
- 18 and, you know, identified olfactory bulbs in bowheads.
- 19 Anyway, there is a published paper that is pretty much a
- 20 slam dunk that bowheads are pretty much capable of
- 21 detecting odor in air as they breathe it in. So the point
- 22 here is that that could affect the ability of hunters to
- 23 capture bowheads.
- **DR. JIM KENDALL:** So we don't have the
- 25 paper in there?

- 1 lot of comments tonight that -- that they want to maintain
- 2 that. So -- keep things as pristine as possible. And
- 3 then there are some other philosophical points here. But
- 4 I think that's it.
- 5 One final comment, I guess, is I think there is
- 6 a lot of -- makes a lot of sense to move slowly in
- 7 offshore oil and gas. It's sort of an experiment, in a
- 8 way. We can try and predict effects. We are not going to
- 9 get them all. So move slowly. If you move a structure
- 10 out there, monitor it heavily and make sure your
- 11 predictions are right. Then perhaps you can add another.
- 12 There probably is a threshold there. If you get enough
- 13 hardware out there, you are going to deflect migrations
- 14 and this sort of thing or, you know -- so I urge a very
- 15 cautious, stick-your-toe-in-the-water type approach.
- And that's it. Thank you.
 - **DR. JIM KENDALL:** Thank you. Very good.
- .8 We have an empty podium and it's facing in a good
- 19 direction. We can all see and we can all hear.
- 20 MR. BILL TRACEY: Good evening. Thanks
- 21 for some of you coming back, and welcome to you folks that
- 22 haven't been here before. Hi, audience. Bill Tracey, for23 the record. I testified here before. We may have been in
- 24 another building, but kind of an update, if you will. And
- 25 I'm kind of a storyteller. I have a bunch of grandkids,

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- 1 and they like to hear about the old times. And for me,
- 2 the old times is 40 years ago or so when I moved up here.
- 3 I may have been born on the East Coast, but I believe I
- 4 was reborn here on the North Slope.
- 5 I had two wonderful stepparents, Warren and
- 6 Dorcus Neakok, and that's where my story kind of begins.
- 7 I had the pleasure, the opportunity and the family that
- 8 allowed me to take them on a snowmachining sled ride out
- 9 to the edge of the ice west of Point Lay. This is
- 10 probably 1975. And it was good, strong ice. It was
- 11 thick, a lot of pressure ridges, so the trail was kind of
- 12 mixed. And it's -- it's pushing breakup time of the year.
- 13 So there was a lot of fog around. Few airplanes back
- **14** then. We were lucky to see one or two airplanes a month.
- 15 And those were charters by ASRC bringing in our mail. So
- **16** if somebody came to Barrow for medical or business, you
- 17 may be here for the entire month before you got back home,
- 18 unless there was a charter.
- So anyway, I'm taking Mom and Dad out. They
- 20 wanted to go snow goose hunting, seal hunting if they
- 21 could. And it just seemed like we were heading west out
- 22 towards the open water for hours and hours. We
- 23 probably were because we were probably 15 to 20 miles out.
- 24 You couldn't see Point Lay anymore. You couldn't see the
- 25 Brooks Range anymore. We were just out. Everything was

- 1 really changing. Back then in '75 we would see icebergs
- 2 the size of Barrow. They were so big, they had their own
- 3 weather. It was phenomenal. I didn't own a camera back
- 4 there, but boy, I wish I did. I think I had one of those
- 5 little 110s. I don't think those are real pictures,
- 6 but --
- 7 But the memories. And I could pass on these
- 8 memories and stories. These icebergs were so big they had
- 9 their own weather. They had their own ecosystem, if you
- 10 will. And they just went on forever and ever. If you
- 11 tried to drive around this iceberg, you would end up in
- 12 Wainwright at one end and Point Hope at the other. I'm
- 13 exaggerating, but it was big. We -- actually, Marie and
- 14 I, my wife and I, would kind of look at each other and
- 15 say, I think we're going a little too far, so we would
- 16 turn back. But there was arches, water was dripping on
- 17 us. It was just amazing. You don't see icebergs like
- **18** that anymore. Maybe in the Antarctic.
- So that's changed. We have got very young ice
- 20 now. And it takes forever for the ocean to freeze in the
- 21 winter now. You will notice that we still have a lot of
- 22 open water. And a little blow or a little current and
- 23 that ice is gone, too. So that's a change.
- We have had a lot of studies here since then.
- 25 Caribou have been studied. Loons have been studied.

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- 1 just white.
- 2 And it was a good day. We set up camp first.
- 3 The geese were flying. A bunch of them ended up on my
- 4 sled. It was a successful hunt that day, so we had what
- 5 we went out there for. And it started getting foggy. And
- 6 I did mention that this is breakup, and if we got caught
- 7 between the water flooding the lagoon and our village,8 then we were caught for a while and we would have to make
- **9** camp somewhere. So mom knew the importance and, of
- 10 course, dad wasn't saying much. Mom did all the talking.
- 11 And she said, it's time to go. And I look at where we
- 11 And she said, it's time to go. And I look at where we
- 12 came from and, yeah, I can see my trail for about 15 feet,
- 13 but then the fog obscured it. So I say, okay, we are
- 14 going. I kept looking back at Mom, and she would point
- 15 over there, so I'd go that way. And all of a sudden I'd
- 16 lose my way, and I'd look back, and she'd point over
- 17 there, so I'd go that way.
- To make a long story short. Mom directed us
- **19** back home. And the two rivers, the water from the two
- 20 rivers during breakup almost met. We made our way between
- 21 the waters, we were home. Thank you very much.
- 22 Mom directed us home, and I like to think that,
- 23 God bless her soul, and Warren, that that's why I'm here
- 24 tonight. I was directed by her to be here tonight to once25 again speak to you folks about change up here. Things are

- 1 These are studies that I've witnessed. Belugas have been
- 2 studied, bowheads, walrus, seals. And not all studies are
- 3 treated equal. Some use helicopters, and they really
- 4 disturb the animals. Some use high-flying airplanes. A
- 5 little better, but I think even at 2,000 feet animals and
- 6 people can still hear these airplanes and they are
- 7 disturbed.
- 8 It was mentioned earlier that an animal in their
- 9 element like a walrus in the ocean isn't that disturbed by
- 10 an airplane or by a boat unless you are hunting them, of
- 11 course. But when you put a walrus on land, it's a
- 12 different animal, very nervous animal, very stressed
- 13 animal. And we have seen some signs of stress. We talked
- 14 about stress earlier tonight. These walruses were
- 15 stressed. They were showing lesions on their skin. They
- 16 had breathing problems. And the last couple of years
- 17 during the last couple of haul-outs, they seemed to be a
- 18 little better, a little healthier. So are they getting
- 19 used to hauling out on land? I don't know.
- But I tell you what we did one year in Point
- 21 Lay. It was one of the first years that the walruses had
- 22 to haul out because they didn't have their summer ice,23 which would have kept these walruses out at the Hannah
- 24 Shoal area. That ice wasn't there anymore, so they
- 25 started hauling out and they were hauling out close to

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- 1 Point Lay. I think they tried to haul out near
- 2 Wainwright. But between the hunters, there is a lot of
- 3 folks in Wainwright, not so many in Point Lay. So I think
- 4 between the hunters and the distance to where they feed,
- 5 they find it more convenient and less distracting in Point
- 6 Lay.
- But the Point Lay folks treated this haul-out
- 8 like an incident. And I know all about incident command,
- 9 being in the fire business, so I'm right there in the
- 10 front lines with them. With the help from the North Slope
- 11 Borough Wildlife and our community councils, a couple of
- 12 folks, big effort, we convinced FAA to divert air traffic
- 13 so they wouldn't be flying over these herds of walrus.
- We talked to our hunters, and they were
- 15 agreeable to hunt on the fringes rather than the big pack
- 16 because any little disturbance caused a stampede, and
- 17 these walruses made their way back into the ocean when
- 18 there was -- they were so close to Point Lay a dog barking
- 19 would make them nervous. A boat going by made them
- 20 nervous or made them stampede. A brown bear, an airplane.
- 21 Everything made them nervous. Not so in the water. I
- 22 wonder in the water, they are a little more fearless.
- 23 They can get away. But one of the ugliest things I've
- **24** ever witnessed in my life is a walrus stampede where one
- 25 year we counted over 100 juvenile dead walruses from

- 1 seen belugas, how they act when they are being hunted. I
- 2 observe them when they are being hunted by man and when
- 3 they are being hunted by killer whales. Their survival
- 4 instincts kick in. Very powerful animals, very
- 5 family-oriented animals. And like it was mentioned
- 6 earlier tonight, we think they come from the deep rather
- 7 than up the coast. If they didn't have that deepness to
- 8 come from, where would they go? These are creatures of
- 9 habit. We take away what they know, will they survive the
- 10 unknown? Don't know.
- So these are things that really have to be
- 12 understood, studied, if you will, from afar. The more
- 13 passive the study, I think the truer understanding you are
- 14 going to get of an animal. When I observed a loon study,
- 15 these folks set up camp so that they weren't boating in or
- L6 flying in. There was little movement. So these loons
- 17 grew accustomed to them, and they got a true sense of what
- 18 the loon was like in its natural habitat.
- So try to tell this to industry and they will do
- 20 their studies with their helicopters. They will come
- 21 flying in. And now they are not studying a natural
- 22 setting. They are studying scared caribou, one that's
- 23 running. It's funny; we would see caribou all day long,
- 24 and the folks that were trying to study them said, we
- 25 didn't see any caribou today. I wonder why.

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- 1 suffocation from these stampedes.
- 2 My wife Marie and I, we feel blessed that we got
- 3 to observe walrus haul-outs, the last five haul-outs. And
- 4 I think Delbert mentioned to me one time that he's aware
- 5 of a haul-out 50 years ago or so. It happened. I hadn't
- ${f 6}\;$ ever seen one in the 40 years I was in Point Lay up until
- 7 I think it was like 2009 -- so Marie and I crossed the
- 8 lagoon and parked our boat and crawled almost a mile up to
- 9 the walrus just so we didn't scare them. We were in
- 10 Carhartts. We didn't shower. We didn't have aftershave
- 11 or anything on. We were trying to blend in. And we got
- 12 to see walrus that were unaware of us or didn't care,
- 13 didn't think that we were a threat and had a wonderful two
- 14 days -- we set up camp and just observed and took
- 15 pictures.
- Now I have a camera and took a lot of pictures.
- 17 As a matter of act, maybe one of the pictures tonight is
- 18 one of mine in that presentation. These animals weren't
- 19 scared of us because we didn't pose a threat because the
- 20 airplanes weren't flying over. They weren't nervous from
- 21 that because they weren't being hunted in their big group.
- 22 A lot of things fell into place, and we made it as easy as
- 23 possible for the walruses to haul out.
- 24 Belugas, Wildlife here, North Slope Borough
- 25 Wildlife has done a wonderful job studying belugas. I've

- 1 So these are things that you need to pass on to
- 2 folks that want to be up here. And it's alien to the
- 3 folks down south. There are some here money driven.
- 4 There are some here because they want to be. And there
- 5 are some here because they were born here and they love
- ${f 6}$ this place and they want to keep it as pristine as
- 7 possible.
- 8 Just imagine this. This is -- the Arctic Ocean
- 9 on a summer day, not a cloud in the sky, the sun straight
- 10 above, the ocean is like a mirror. You are on your boat
- 11 ten miles, 20 miles offshore. You have got walruses in
- 12 one area. You have got belugas in another area. You have
- 13 got birds flying above. And then all of a sudden your
- 14 boat is picked up out of the water. Marie and I and my
- 15 son when he was two years old were just adrift having
- 16 lunch, and all of a sudden our boat was picked up out of
- 17 the water. And as gently as we went up, it was brought
- 18 back down. And it was a gray whale. Didn't see it
- 19 coming. Quite surprised at the -- it did that without
- 20 tipping us. And I looked at Marie and she looked at me
- 21 and I said, Marie, do you think we are in their path? And
- 22 so we moved a little bit, but there was whales everywhere, 23 so it didn't matter where we were. I think the gray whale
- 24 thought we were a piece of ice and it was going to scratch
- 25 its back. That's an animal in its natural habitat doing

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1 what they do without a care in the world.

And I think the folks that have been living up

- 3 here for thousands of years understand this better than I
- 4 could ever tell you, better maybe than they could ever
- 5 tell you. You just have to observe. You have to spend
- 6 some time and just see how things are, and you can imagine
- 7 how things were. You are nomadic. So we have talked
- 8 about seasons. There is not only seasons, but there is
- 9 places that you want to be at these different seasons. I
- 10 don't think the ships out in the ocean understand this. I
- 11 don't think -- industry has been up here for a long time.
- 12 I still don't think they get it because of some of the
- 13 things they do. And I think if they would listen more, if
- **14** they absorbed some of that traditional knowledge, then
- 15 maybe they would get it. And we could co-exist and we
- 16 could do some responsible drilling up here.
- And I know technology is -- is on the fast
- **18** track. Well, so is climate -- climate change. We are
- 19 noticing some permafrost melting quite fast in some of our
- 20 communities. We build our houses on stilts on pilings,
- 21 and some of these pilings are exposed all the way to their
- 22 nine- and ten- and 12-foot depths. And we are putting
- 23 cribbing on some of these houses so our water/sewers that
- 24 are a direct barrier coming up out of the ground are
- 25 bending and breaking.

DR. JIM KENDALL: Does anyone have

- 2 anything else they would like to add to the record?
- 3 MR. DELBERT REXFORD, SR.: I'd like to
- WIK. DEEDERT REAFORD, SK... TU INC. O
- 4 speak as an Inupiat, too. Delbert Rexford, for the
- 5 record. I'm speaking as an individual. I'm a whaling
- 6 captain. I've prepared many speeches for my father when
- 7 he was the chairman of the Alaska Eskimo Whaling
- 8 Commission. We would spend numerous hours after his trips
- 9 internationally as he fought for our way of life to
- 10 sustain our whaling culture. As a child growing up, I
- 11 learned how to read with a single lamp. I wasn't as
- 12 fortunate as some other families were. But I love to read
- 13 and I love to write. And that inspired me because going
- 14 to school was something I could look forward to. But even
- 15 then we had honey buckets. We had wooden seats.
- **16** Sometimes we would get splinters. Those were BIA seats.
- 17 They were. And you could smell the human waste when the
- 18 building got warm.
- 19 [indiscernible] would put ice in the -- and
- 20 start melting ice before lunchtime and start delivering
- 21 water to each classroom. These are the things that we
- 22 grew up with. I grew up with taking care of my dad's nine
- 23 dogs. When he went on a union job, I was responsible for
- 24 those dogs. Springtime was a mess. We had to clean up a
- 25 lot of poop.

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- So what was -- if you are working off old
- 2 information from previous studies, maybe that is
- 3 irrelevant today and you need to stick with the times.
- 4 Things are changing, and it's on the fast track. And it's
- 5 not just down here. We have got changes with wind
- 6 directions, with current directions, the depth of ocean,
- 7 the salinity of the ocean, the air we breathe. Everything
- 8 is changing all at once. So when you talk about
- 9 cumulative impacts, you have got to include all the
- 10 natural and unnatural stuff that's happening all around
- **11** us.
- Remember, this is the top of the world. Some of
- 13 the -- who was it -- President Reagan talked about
- 14 trickle-down economics. Just be careful because this is
- 15 the top, and everything that happens here is going to come
- 16 down the rest of the world. So be kind to this area and
- **17** it should be kind to you.
- 18 Thank you.
- **DR. JIM KENDALL:** Thank you.
- 20 MR. MICHAEL HALLER: Bill, that was your
- 21 photo. It is your photo. Thank you.
- **DR. JIM KENDALL:** I'm seeing tired eyes in
- 23 the audience.
- 24 MR. DELBERT REXFORD, SR.: We don't get
- 25 tired of stories like that. No, we don't.

- 1 But the point is this: To every season we
- 2 adapted. To every opportunity we adapted. And then we
- 3 embraced those opportunities to learn from each unique
- 4 experience. As Bill was talking about the icebergs, my
- **5** father and I were rescued by North Slope Borough rescue.
- 6 He took me approximately 150 miles straight out to the
- 7 ocean. We had two barrels of fuel. He said, I need you
- 8 to see what is out here. I saw animals I had never seen
- **9** in my life, the size of the animals. And then I couldn't
- 10 believe that you could shallow out in the middle of the
- 11 ocean. I couldn't believe that. And he would tell me
- 12 stories about being out in the launch boats for a week at
- 13 a time out in the ocean hunting.
- On our way back we got caught. The ice had come
- 15 in, icebergs twice as high as the ASRC building, moving
- L6 fast. My father had an illness where he had ulcers and he
- 17 would get weak but, you know, when you are in survival
- 18 mode you do everything that you possibly can do. And as
- 19 he became handicapped briefly, I did everything that he
- 20 possibly knew that I had to do.
- But the point is well taken, that it is --
- 22 when -- when he told me, one day you will understand when
- 23 I say first and foremost as a whaling captain, I am
- 24 responsible for the lives of those that I have the
- **25** pleasure of being a captain for.

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- And this is where we are today, each one of us.
- 2 We are on a ship, different ships. Yes, there are human
- 3 rights issues. When I spoke at the United Nations Summit
- 4 in Copenhagen on human rights issues and subgovernance, it
- 5 was because we as Inupiat people were not recognized
- 6 within that international arena as indigenous peoples. We
- 7 were only recognized at the domestic level.
- I envision my grandson, who is 13 months old
- 9 now, as we look at the 77-year calendar, becoming an old
- 10 man at that time and the impacts, whether cumulative or
- 11 otherwise, he will live those. Point Hope is very strong
- 12 about opposing offshore, but I know that my son who is an
- accomplished hunter will teach him what is right and what
- 14 is wrong regarding conservation, cultural, survival, and
- the importance of our values.
- 16 One young lady asked how much is a life worth.
- 17 My father told me that there is no price on human life.
- But there is a price on what you can do to better it. And
- that price might be a little sacrifice to adapt to a
- 20 change -- to change and to create opportunities for the
- 21 betterment of those we serve. For the 13 years he served
- 22 at the AEWC, he would cry sometimes after coming from the
- international and say, they want to take our whaling away.
- 24 Robert, Greg and those that are still fighting
- 25 the fight, my hat goes out to you because, believe it or

- 1 equals a pound of cure. It's going to take 16 times my
- 2 effort to clean your mess up. But if you prevent it, you
- don't have to clean it up.
- And I'd like to end on a light note. The --
- 5 back when they used to deliver mail once a month to the --
- 6 to the villages, the pilot would go to John in Wainwright
- and say what's the weather going to be like, John -- I
- mean, the pilot's name was John. He would go to the old
- man. He would stick his finger out all four ways and tell
- the pilot exactly like that weather time and time again.
- But one day he comes back. What is the weather going to
- be like? So he does his little ritual, puts head down and
- says, I don't know, John. My radio broke down.
- DR. JIM KENDALL: Thank you. Well, that
- 15 took us after 10:00 when we are technically supposed to
- end. But does anyone else like to add anything before we
- close out the evening? This has been -- this is probably
- one of the best meetings we have ever had. We have had
- great comments, good engagement. This is the kind of
- stuff we needed to help make this document better from
- everybody's comments. It was great.
- MS. ROSEMARY AHTUANGARUAK: I would like 22
- 23 to add a couple things.
- **DR. JIM KENDALL:** Absolutely. Come on up. 24
 - MS. ROSEMARY AHTUANGARUAK: The one big

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- 1 not, he loved you guys for being there for him. And we 2 are going to adapt.
- As I stated earlier, an ounce of prevention
- 4 equals a pound of cure. I've worked with the industry in
- 5 Prudhoe Bay. I've worked in remote sites. Safety first.
- 6 But it takes a Hazelwood under the influence of alcohol
- 7 and human error to cause a catastrophe. We all know
- 8 that's what happened, which is why we as Arctic Inupiat 9 Offshore are very adamant, safety first, prevention and
- 10 involving the Inupiat community all across the North Slope 11 so that we are at the table, and then we are not outside
- 12 that window and looking in and saying, hey, listen to us.
- 13 We want to be at the forefront.
- 14 I respect Rosemary. I respect those that have
- 15 articulated and passionately shared with us tonight
- 16 because it is lives at stake. It is cumulative impacts.
- Now the question that we must ask ourselves is: Are we
- willing to go to the forefront and say what can we do to
- 19 mitigate, to reduce impacts and to make it better? And
- 20 that's a challenge that we are going to be faced with.
- 21 Even my son is going to be faced with that.
- 22 But I thank you. I have been touched tonight.
- 23 I have. It tells me that I need to -- need to even work
- 24 harder on prevention, being prepared, because an ounce of
- 25 prevention, as my father stated when I was a little boy,

- 1 thing that I feel is missing out of this process is that
- 2 this process must go forward in a precautionary process.
- 3 And that's our biggest concern because some of these
- 4 discussions are not about precaution, and reality is that
- we are going to live through those risks. And I also
- wanted to bring in support around the discussions with the
- dispersants. We have immediate threats with the
- preauthorization of dispersants. And some of our animals
- are very old, and the cumulative effects of them coming
- through their great migration distances makes it very
- difficult for us to assess for any areas of their
- migration where dispersants may be used. We cannot
- adequately track it and look at this information. So
- there has to be improvements to transparency of all of
- this process so that we can look at the information
- wherever it is being done to look at the risk for the
- health of us and our future generations. And that's mandatory for this process going forward.
- 19 Thank you.
 - DR. JIM KENDALL: Thank you, got it.
- 21 Anyone else? Well, with that, I would like to officially
- 22 close this public hearing. And thank you all for coming.
- I think we can end the record here.
- 24 (Proceedings adjourned at 10:07 p.m.)

25

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Burean of Ocean Management Public Hearing

Barrow

for 193 Ren	Ocean Management Public Hearing nand - Chukchi Sea	Dece
	Page 98	-
1	REPORTER'S CERTIFICATE	
2	I, MARY A. VAVRIK, RMR, Notary Public in and for	
3 the St	ate of Alaska do hereby certify:	
4	That the foregoing proceedings were taken before	
5 me at	the time and place herein set forth; that the	
6 proceed	ings were reported stenographically by me and later	
7 transcr	ibed under my direction by computer transcription;	
8 that th	ne foregoing is a true record of the proceedings	
9 taken a	t that time; and that I am not a party to nor have	
0 I any	interest in the outcome of the action herein	
.1 contai	ned.	
2	IN WITNESS WHEREOF, I have hereunto subscribed	
.3 my hand	and affixed my seal this day of December	
.4 2014.		
.5		
L6	MADY A VAUDTY	
L7	MARY A. VAVRIK, Registered Merit Reporter Notary Public for Alaska	
8	Notary Public for Araska	
9	My Commission Expires: November 5, 2016	
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\$	actions (2)	adrift (2)	agree (2)	59:25
Ψ	45:24:56:1	27:19;89:15	72:13;78:13	always (3)
\$10,462,965 (1)	active (1)	advance (2)	agreeable (1)	54:23;73:8;80:10
64:23	67:18	20:10;39:4	86:15	amazing (1)
\$110 (2)	actively (1)	advantage (1)	agreed (1)	84:17
13:18;14:22	68:21	15:1	3:6	amazingly (1)
\$354 (1)	activities (48)	adverse (6)	Agreement (4)	50:16
ψ554 (1)	8:20;12:7;16:25;	40:14,15;41:5,6,15;	23:21;51:4;76:4,5	amount (15)
74:9	17:8,14;18:10,17;	42:11	AHTUANGARUAK (4)	10:11;12:15;14:8;
r	23:17,17;24:13,15,17;	advisor (1)	34:15,16;96:22,25	26:17;29:10,23;43:21;
[25:7;26:5,7,8,23;	63:19	aide (3)	44:1,22;45:18,19;
r: 1: 11.1.(2)	28:16;29:3,16,22;30:8,	Advisory (1)	35:6;37:9;38:18	48:13,17;57:2,7
[indiscernible] (3)	10;37:16;39:1;49:18,	34:18	aids (1)	amounts (1)
39:24;40:7;92:19	20,25;50:3,9,16;51:14;	AEWC (5)	32:24	26:21
[sic] (1)	55:5,7,7,8,13;65:3,9,	23:4,15;24:11;51:4;	AIO (1)	Anaktuvik (1)
62:5	11,21,25;66:19;67:14,	94:22	63:22	75:4
	23;69:7;70:10;79:14	afar (1)	air (5)	analyses (1)
\mathbf{A}		88:12	48:6;50:18;79:21;	57:5
	activity (14)			
ability (4)	23:8;24:3;26:20;	affect (6)	86:12;91:7	analysis (27)
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5	PUBLIC HEARING FOR
6	193 REMAND - CHUKCHI SEA
7	BUREAU OF OCEAN ENERGY MANAGEMENT
8	BUREAU OF OCEAN ENERGI MANAGEMENI
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10	Fairbanks, Alaska
11	Taken December 4, 2014 Commencing at 7:08 p.m.
12	Volume I - Pages 1 - 35, inclusive
13	volume i - rages i - 33, inclusive
14	
15	Taken at Westmark Hotel Conference Room
16	Fairbanks, Alaska
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22	Reported by: Mary A. Vavrik, RMR
23	
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25	

MIDNIGHT SUN COURT REPORTERS (907) 258-7100

Fairbanks December 4, 2014

1 row. We sent out notes to all our constituents. Mike, I

2 think we were on the radio.

3 MR. MICHAEL HALLER: Right.

DR. JIM KENDALL: Last time we did

5 something like this, we had somewhere between 60 to 70

6 people. We were afraid we had too small a room here. But

7 anyway, let's just proceed.

Some of you know me. Jim Kendall. I'm the

9 Regional Director for the Bureau of Ocean Energy

10 Management. It's a federal agency or a bureau within the

11 Department of Interior. Some folks asked what oil company

12 are you? We don't work for an oil company. We don't work

13 for the State. We don't work for an NGO. We try to be a

14 very unbiased, transparent organization that provides the

information to the decisionmaker. And in this case the

decisionmaker is the Secretary of the Interior. So the

document we are working on with some of our friends, know

that this is not a decision document. It's a document of

information that goes to the decisionmaker who in this

20 case is the Secretary of the Interior.

21 We may liven this up a little bit. Anyway to

22 introduce the folks here, we have --

23 MS. BETTY LAU: I'm Betty Lau. I'm the

24 Chief of Resource and Economic Evaluation section in BOEM

25 in Anchorage.

1 lives. So what we are trying to do is give people who are

2 not that familiar with the topic what this is all about,

3 why it's important, and why we do this.

Now, the simple reason of why we do this is

5 because there is a law, the Outer Continental Shelf Lands

6 Act, that Mike is going to touch on that tells us we will

do this and the Secretary of the Interior is held

8 responsible for it. So basically this is us doing our

job, and that is to get input from the taxpayer, our

10 bosses, into this document that goes to the Secretary so

she can make a decision.

Then after we have a nice presentation here,

13 then we go to the public comment period. And usually we

14 try to keep it to three minutes a person when we have

people flowing out the doors. So if you happen to run

over your three minutes, that's fine, too. We also went

to a lottery system for some of the very larger venues so

that people that -- felt it was fair. There wasn't blocks

19 of people coming in and monopolizing this. So we went to

20 a lottery system. I don't think we need to do that

21 tonight. We can just go around the room. And if anybody

22 wants to gets up and speak, some people call it testimony;

23 we call it public comment. We will do that. Again, any

24 notes go to Mary. Make sure she can hear you. State your

25 name.

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- 1 And with that, Mike and Betty, dazzle us.
- 2 MR. MIKE ROUTHIER: No promises. All
- 3 right. Thank you, Jim. As Jim stated, we are the Bureau
- 4 of Ocean Energy Management. We're here to talk about this
- 5 document in particular. It has a very long title:
- 6 Chukchi Sea OCS Oil and Gas Lease Sale 193 Draft Second
- 7 SEIS. And the SEIS stands for Supplemental Environmental
- 8 Impact Statement. It's a NEPA document, an environmental
- 9 review document.
- BOEM is a federal agency within the Department
- 11 of the Interior. And as Jim stated, we are here to talk
- 12 about this document we prepared and also get your comments
- 13 on that document. That's the critical goal here.
- BOEM's primary responsibilities are to manage
- 15 the development of energy and mineral resources on the
- **16** Outer Continental Shelf. In Alaska that's from three
- 17 miles to 200 miles out in the ocean. And our mission is
- 18 to do that in an environmentally and economically
- 19 responsible way.
- Our program has several facets. We implement a
- 21 five-year oil and gas leasing program. That's the stage
- 22 at which the agency looks at various portions of the OCS
- 23 around the country and determines which of those areas
- 24 might be suitable for lease. Once leases are issued in a
- 25 given area, lessees may wish to submit exploration plans

- 1 193 was held. The government received high bids of nearly
- 2 2.7 billion dollars and issued 487 leases in the Chukchi
- 3 Sea.
- 4 A couple years later as a result of litigation,
- 5 the agency prepared a Supplemental Environmental Impact
- 6 Statement. That was in response to a District Court
- 7 remand, U.S. District Court for the District of Alaska.
- 8 As a result of that remand, the agency prepared a
- 9 supplemental EIS, went back to the Court, the Court found
- 10 that the agency did its job, dismissed the case. However,
- 11 plaintiffs in that case appealed to the Ninth Circuit
- 12 Court of Appeals.
- The appeal raised two issues. The first was a
- 14 missing information issue that had been previously
- 15 litigated, but the Court of Appeals found that the agency
- 16 properly handled this missing or incomplete information in
- 17 the context of the EIS and the Supplemental EIS.
- .8 The second issue pertained to the exploration
- 19 and development scenario upon which the 2007 document was
- 20 based. There the SEIS analyzed a one-billion-barrel
- 21 exploration and development scenario. And the
- 22 one-billion-barrel scenario represented what the agency
- 23 thought was a minimum amount of production that would
- **24** justify a company investing and developing the resource.
- 25 And that was done in the context of historical background

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- 1 or development and production plans. And our agency would
- 2 review those, do an environmental review and also apply
- 3 certain regulatory standards prior to potential approval.
- 4 I touched on the environmental review function.
- 5 There is also a robust environmental studies
- 6 aspect of our program funding millions of dollars' worth
- 7 of research, including in the Chukchi Sea. The agency
- 8 also conducts many resource evaluation functions designed
- 9 to assess the extent of oil and gas resources on the OCS.
- These functions take place in the context of a
- 11 four-stage process. That process is designed by the Outer
- **12** Continental Shelf Lands Act, as Jim mentioned. It starts
- 13 off with that broad five-year program. It goes down to
- 14 individual lease sales. From there you could have
- 15 exploration plans and if a discovery is made and the
- 16 company is interested in pursuing development and
- 17 production, they can submit a plan for our review.
- Here we are at the second stage, although it's
- 19 kind of an unusual circumstance in that Lease Sale 193 has20 already been held, and we will give you more information
- 21 about that.
- Background information on Lease Sale 193. In
- 23 2007 the agency released a Final Environmental Impact
- 24 Statement, or EIS, to assess the potential environmental
- 25 effects of leasing in the Chukchi Sea. In 2008 Lease Sale

- 1 in the Chukchi Sea, which is a frontier area where there
- 2 is currently no existing infrastructure and there have
- 3 been no economic discoveries to date.
- 4 However, the Court of Appeals identified a
- 5 deficiency with the 2007 SEIS. They did not like the fact
- 6 that the EIS was based on that one-billion-barrel
- 7 production scenario because the document acknowledged that
- 8 should that first billion-barrel field be developed, then
- 9 more development and production was reasonably
- 10 foreseeable, but the document didn't analyze the effects
- 11 of that additional development and production. The Court
- 12 of Appeals found that was a deficiency and remanded the
- 13 matter back to the District Court and then back to the
- 14 agency.
- So BOEM is now correcting this deficiency by
- 16 preparing a Supplemental Environmental Impact Statement,
- 17 more environmental review this time of a greater level of
- **18** development and production, 4.3 billion barrels as opposed
- 19 to the original one billion barrels.
- 20 So developing this SEIS is a big effort. We
- 21 understood that in order to produce a good document we
- 22 should bring in other government agencies, government
- 23 entities with expertise in this area. To that end we
- 24 invited several of those entities to be cooperating

25 agencies. Many of these agencies accepted. Those include

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- 1 Bureau of Safety and Environmental Enforcement, our sister
- 2 agency that does enforcement and inspection functions on
- 3 the Outer Continental Shelf; Bureau of Land Management,
- 4 BLM; State of Alaska and also the North Slope Borough and
- 5 the Northwest Arctic Borough. While not cooperating
- 6 agencies, which is a term of art under NEPA, we have
- 7 several other agencies that we call participating agencies
- 8 because they helped us prepare the document. Those
- 9 include EPA, Fish & Wildlife Service, NMFS and the Coast
- 10 Guard.
- 11 The heart of any NEPA document is the analysis
- 12 of alternatives. Here the SEIS analyzes four
- alternatives. It's the same four alternatives that were
- 14 analyzed in the 2007 document, as well as the 2011
- document. It has a proposed action, a No-Action
- Alternative, and then it also analyzes two corridors along
- the coast of the Chukchi Sea of varying sizes. And
- selection of those alternatives would mean no leases in
- those areas. And you can see in the figure on the screen
- where the existing leases are in the Chukchi Sea relative
- 21 to the coastline.
- 22 Something that's very important to understand is
- 23 that no new areas would be offered for lease through this
- 24 process. The agency is not looking at issuing any new
- 25 leases through Sale 193 or through this document. The

- 1 a lot of assumptions about how the production is going to
- 2 be produced and how it would be transported. Obviously,
- 3 you know, different people with the same numbers would
- come up with a different idea of it.
- But the first thing was to get our volume. And
- 6 this is a chart of how -- how we think about it. What do
- we consider when we are trying to come up with how much
- oil could be reasonably anticipated from a single lease
- sale? And in this case, which was unusual, we already
- knew what was going to be leased because we are only
- talking about the existing leases. Normally this analysis
- happens before a lease sale when you have an area open for
- leasing, but you don't know which ones will be bid on and
- 14 which bids will be accepted. So our whole process, we
- took it right back to the very beginning and worked
- through the process from the very beginning.
- 17 Now, in all of the Chukchi Sea, the entire area
- of the Chukchi Sea planning area, we think there might be
- about 8,500 prospects. Now, a prospect is an area that
- someone might be interested in drilling, not necessarily
- that it would be productive, but maybe someone would want
- to drill in that. And we don't have good seismic data for
- all of the Chukchi Sea, so a lot of the number is kind of
- 24 extrapolating from what we do know and saying, well, if
- 25 this trend continued out here and the geologists and the

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- 1 issue really is for the Secretary to decide whether to
- 2 affirm the existing leases, to modify the lease sale in
- 3 some manner or to vacate or get rid of the leases.
- I mentioned earlier that the exploration and
- 5 development scenario is a key issue in any leasing
- 6 documents, but especially here where it's a matter of
- 7 litigation. And it was Betty's group that helped create 8 or created the exploration and development scenario we
- 9 analyzed in this document, so I'm going to turn it over to 10 Betty.
- 11 MS. BETTY LAU: Thanks, Mike. And as Mike
- 12 said, the issue that the Court found with the previous
- 13 document was the one-billion-barrel scenario for the oil
- 14 production, when it was stated that, yes, more could be
- reasonably foreseeable, but a number wasn't put on that
- 16 and it wasn't analyzed for the environmental impacts that
- 17 could result from it, so our first job was to quantify how
- 18 much more.
- 19 And then once we understood we had a number how
- 20 much more, then we created a scenario, which is our idea
- 21 of how, if you were going to produce 4.3 billion barrels,
- 22 what would you have to do? How many wells do you need?
- 23 How many platforms do you need? How long would it take?
- 24 How would you -- how would you build that infrastructure 25 in? You have to make some assumptions. You have to make

- 1 geophysicists look at it and they come up with a number
- 2 that they think might be reasonable, but from there we
- 3 look at the undiscovered technically recoverable
- 4 resources.
- 5 Now, undiscovered is a very important part of
- 6 that. This isn't anything we can measure. We don't know
- where they might be, but the question is, how much of
- that -- those 8,500 prospects, how much of that do we
- think we could actually recover using the technology we
- have available to us right now? Nothing exotic, nothing
- that would have to be developed, just what we already
- know, what could we -- what could we get out of -- and
- 13 again, we are talking about the entire area of the Chukchi
- 14 planning area.
- 15 So from there we go from 8,500 prospects to
- 16 1,400 pools and 15.4 billion barrels, the first time we
- have a volume. Now, that's the oil we think might be
- 18 technically recoverable from the entire area if money
- 19 doesn't matter.
- 20 But, oil companies don't think that way.
- 21 They -- they are in business to do business. So we have
- 22 to then analyze the economic effect of that, what would
- 23 happen at different prices for oil. If the price of oil
- 24 is this, how much would you get. That's changeable, then.
- 25 Every time you change the price of oil, it's going to

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- 1 change this next volume. And that is the undiscovered
- 2 still economically recoverable resource. When you look at
- 3 that, you are now down to 80 pools and you have 11.5
- 4 billion barrels at \$110 a barrel. And that's what the
- 5 price was hovering around last summer when we did this
- 6 analysis. Now it is not, but you have to -- you have to
- dilarysis. Now it is not, but you have to -- you have to
- 7 pick a number, and you understand it's going to change.
- So then we take -- now we are talking about the
- 9 whole Chukchi. What do we think might be reasonably
- 10 anticipated as a result of this sale? Now, we have, first
- 11 of all, the things that might be drilled as -- as a direct
- 12 result of this sale, but then what if there were a
- 13 success? What if somebody hit something good? Well,
- 14 then, they would probably request that there be another
- 15 sale later. And what if they find something in that sale?
- So we are looking at not just the result of 193,
- 17 but one additional sale. And when you look at that, you
- 18 get 6.4 billion barrels. And then the volume that we
- 19 finally come down to as a direct result of 193, if you had
- 20 one large anchor field, which is a field that would stand
- 21 alone economically, if they found that field, nothing
- 22 else, you would still develop that field and then one
- 23 satellite field, which is a smaller field, which may not
- 24 be economic on its own but that could use some of the
- 25 infrastructure from that anchor field. So it has to be

- 1 capacity and the oil starts to deplete from this anchor
- 2 field and satellite field, then you would start producing
- 3 the gas for sales. And you would -- we are assuming that
- 4 everything is going to be produced through pipelines first
- 5 from the -- a pipeline from the offshore platforms to the
- 6 shore, then from the shore across NPR-A to Prudhoe to join
- 7 in -- the oil would join in with TAPS, the gas with the
- 8 future pipeline. And that's why it takes 77 years. You
- **9** are assuming that you don't produce the gas right away,
- 10 but you do produce it eventually. So about halfway
- L1 through that process you are starting to produce gas, and
- 12 that extends it out in time.
- Also this scenario includes the years of
- 14 exploration, seismic exploration, drilling exploration
- 15 wells, and a fairly quick find of a successful exploration
- 16 well. Right now in the Chukchi we have had five
- 17 exploration wells drilled. They have all been plugged
- 18 again. There has been no economic discovery made to date.
- 19 So, you know, we estimate any given prospects has less
- 20 than a ten percent chance of success, that if you drilled
- 21 an exploration well into it, you would find enough oil and
- 22 gas to make it economic to develop.
 - Okay. So that's why it's 77 years. We go from
- 24 exploration. Development means putting in the additional
- 25 wells, the platforms, the pipelines, the infrastructure to

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. . . .

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- 1 close enough that you could tie into the pipelines. You
- 2 would use the same shore infrastructure.
- 3 So doing that, that's where we come up with our
- 4 4.3 billion barrels. It's kind of a painful process. And
- 5 it's pretty complicated, but I think that kind of gives
- ${\bf 6}\;\;{
 m you}\;{
 m an idea}\;{
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- 7 and how we got the volumes.
- 8 So here are some of the assumptions that we make
- 9 is that we have one big field that would be our
- 10 stand-alone field of 2.9 billion barrels and one satellite
- 11 field of 1.4 billion barrels, total 4.3. And the
- 12 associated gas with those two fields would be 2.2 trillion
- 13 cubic feet of gas.
- Now, because there is no way to get natural gas
- 15 from the North Slope at this time down to southern Alaska
- **16** or some sort of sales point -- we don't have a pipeline
- 17 yet -- we are assuming that when the oil, the gas and the
- 18 water come out of the ground together, that you would take
- 19 the gas and the water and put them back into the reservoir
- 25 the gas and the water and put them back into the reservoir
- at first to maintain the reservoir pressure and improveyour oil production, which is what they are doing at
- 22 Prudhoe right now.
- And then after there is a pipeline from the
- 24 North Slope to southern Alaska to some sort of sales
- 25 point, and it's been in use long enough that it would have

- 1 produce. Then the production phase. And it also includes
- 2 decommissioning, which means removal of the platforms,
- 3 plugging of the wells with cement, cleaning out the
- 4 pipelines, probably leaving them, the major ones, buried
- 5 on the sea floor rather than dig them up. But that's a
- 6 decision to be made at some later date. But we did
- 7 include the decommissioning. Platform removal is time
- 8 consuming, so there are several years tacked onto that,
- 9 included in that 77 years to make sure that everything --
- 10 we also include the time for cleaning up and the effects
 11 of cleaning up.
- Okay. So it's -- it is fairly complex. There
- 13 is -- in the EIS there is a spreadsheet, an Excel
- 14 spreadsheet that goes through the schedule. And you can
- 15 say, okay, how many wells are drilled in that year, how
- 16 many platforms go in, so you can kind of see it over time.
- 17 And this forms the basis for the analysis of the
- 18 environmental effects.
- And I will give it back to Mike.
 - MR. MIKE ROUTHIER: As Betty noted, now
- 21 that we have this scenario, this hypothetical set of
- 22 activities that describe what could happen, one version of
- 23 what could happen in the event of development and
- 24 production, we then turn those set of activities over to
- 25 our analysts, our wildlife biologists, our social

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- 1 scientists, oceanographers and ask them the question:
- 2 What does this mean for the environment? What kind of
- 3 impacts could result from these hypothetical activities,
- 4 assuming that they occur?
- In conducting their analysis, the analysts
- 6 considered new information, so things that come up
- 7 subsequent to 2007 or subsequent to 2011, new studies, new
- 8 information. Our analysts describe impact producing
- 9 factors, which are those aspects of oil and gas activities
- 10 which have potential to cause environmental effects. And
- 11 they attempt to walk the reader through the impacts of the
- 12 scenario through time; in other words, tell the story of
- 13 how these activities assumed in the exploration and
- 14 development scenario would impact the environment over the
- 15 course of many decades.
- The analysis also assesses the risk of oil
- 17 spills, both in terms of probability and in terms of
- 18 potential impacts. Our analysis assumes two large oil
- 19 spills. That's a little bit more than what the analysis
- 20 says would be likely, but want to err on the side of
- 21 capturing potential impacts, so we assume two. By
- 22 "large," what we mean are spills greater than or equal to
- 23 1,000 barrels.
- 24 And by looking at historical data concerning
- 25 activities on the OCS, we assume that those spills -- or

- 1 period closes, the agency is going to sit down and review
- 2 all the comments that we receive, comments submitted
- 3 on-line, comments from folks like you here tonight,
- 4 comments from our cooperating agencies, participating
- 5 agencies, and we are going to look at those comments for
- 6 the purpose of revising the document and making it better,
- 7 and eventually we are going to release a Final Second
- 8 SEIS. We anticipate that happening in late February of
- 9 next year. As soon as 30 days after we release the final
- 10 document, the Secretary can issue a Record of Decision; in
- 11 other words, make her decision about whether to affirm,
- 12 modify or cancel -- I'm sorry -- or vacate Lease Sale 193.
- As far as submitting your comments, as we said
- 14 you can do so here tonight. We have a court reporter
- 15 taking down every word. She's going to create a
- 16 transcript of every public hearing, and we are going to
- 17 review those and share those with our analysts so they
- 18 have an opportunity to make the document better based on
- 19 comments received during the public meetings. You can
- 20 also submit comments through regulations.gov. That is the
- 21 federal government's website for receiving public
- 22 comments. And we actually have a handout outside that
- 23 walks you through the process about how to use
- 24 regulations.gov in more detail.
- The comment period runs until December 22nd, and

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- ${\bf 1}\;$ we assign quantities to those spills to help our analysts
- 2 understand impacts. Those quantities are a 5,100-barrel
- 3 spill from a platform and a 1,700-barrel spill from a
- 4 pipeline. The analysis also updates the hypothetical very
- 5 large oil spill analysis that was first included in the
- ${f 6}$ 2011 document in the wake of the Deep Water Horizon
- 7 incident. It's a very extremely unlikely event, but the
- 8 impacts could be very severe, so we wanted to make sure
- 9 that the Secretary of the Interior, prior to making her
- 10 decision, understood what could happen in that unlikely
- 11 event.
- The document also looks at cumulative impacts.
- 13 We understand that oil and gas activities wouldn't be the
- 14 only thing occurring in the Chukchi Sea that is
- 15 influencing the environment. Many other things are
- 16 happening, as well, most notably climate change, but also
- 17 increased vessel traffic, recreation, tourism, community
- 18 development, military activities and things of that
- 19 nature. So we attempt to analyze impacts more
- 20 holistically.
- This slide shows where we are in the process.
- 22 In late October the agency released this draft second EIS,
- 23 and that triggered a 45-day public comment period. We are
- 24 still in that public comment period. That public comment
- 25 period runs until the 22nd of December. After the comment

- 1 the regulations.gov portal actually closes at 8:00 p.m. on
- 2 the 22nd, so please be aware of that. And that is the
- 3 website listed below.
- 4 And that concludes the presentation.
- 5 **DR. JIM KENDALL:** Thank you, Mike and
- 6 Betty. How about if we turn the lights on and everybody
- 7 can fill their coffee cup or get their water or something.
- 8 Then we will be ready to take comments. The comments we
- 9 are looking for is -- I'll remind you, this is not a
- 10 decision document. It's informational to go to the
- 11 Secretary. Our job is to, with our partners and
- 12 participating agencies and cooperating agencies, pull
- 13 together all the information and put it in a format that
- 14 the decisionmaker, the Secretary, can look at it and make
- 15 a decision. So we don't make the decision. We just pull
- 16 the information together, and we pass it up.
- So that's what we are here for. We are asking
- 18 for help from people that have looked at the document and
- 19 can give us information to make the document better. We
- 20 are looking for information and comments on how to tweak21 this thing.
- With that, let's gets the lights on. We will
- 23 take a two- or three-minutes break so people can get their
- 24 water and coffee, and we will go to the comment period and
- **25** get some information.

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- 1 (A break was taken.)
- **DR. JIM KENDALL:** I think everybody is
- 3 back in the room. I know it's a small group, but we
- 4 really have to use the microphone so Mary can get what
- 5 people say. It's really, really important. So without
- 6 further ado, who would like the microphone first?
- MR. JIM PLAQUET: I had a comment on
- 8 the -- on one of those slides. I think two back it said
- 9 the impacts. One of the things that I have a real concern 10 about is, you know, we are not going to be the only ones
- 11 drilling out there. You know, Russia is probably already
- 12 drilling. There could be other countries. And if we are
- 13 not out there to respond to one of their mishaps, it's
- 14 going to be catastrophic up in the Arctic. And that's one
- 15 of my biggest concerns that if we are not there to
- 16 respond, because they won't have any oil spill response.
- 17 They won't have like we have. They don't have to go
- 18 through this process that we are going through. So that's
- 19 my biggest concern. If we are not there to respond with
- 20 our oil spill response equipment to their mishap, we are
- 21 going to be the ones that suffer.
- 22 DR. JIM KENDALL: Thank you. Who else?
- 23 Don't worry. This isn't a schoolroom. I'm not going to
- 24 pick on people. I have been known to do that, but not in
- 25 a public hearing.

- 1 going to still continue doing what we need to do in a good
- 2 way. This is what we are brought up to do so and as a
- 3 Native person, the Gwich'in people, speaking in a good way
- 4 from their heart. And I think that all race, all human
- being should consider that in a good way. And many years
- now we have protect that area, the ocean, the 1002 lands,
- but somehow other Native has spoiled a little bit of the
- apple, but they need to clean it up themselves because
- today is a different world.
- 10 We done enough to the Mother Earth, and we
- 11 should continue as all human because our food is being
- destroyed. Too much military use on the other side that's
- affecting us today. Field dust comes from oil. If you
- drop one oil, it comes unhealth issues so that field
- dust -- it spreads all over the world. We need to clean
- it up in a good way. And we are the people here today.
- Throughout the nation we need to consider that.
 - There is so much beautiful country in the Last
- 19 Frontier, I believe, my grandfather believed. We have the
- skill to do it in a good way to protection, final
- protection, Monument Act protection, Wilderness Act
- protection in a good way.
- So this oil spill that was created in the past,
- 24 it kill a lot of human. It killed a lot of species, a lot
- 25 of animals. We have all been affected from it. Let's

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- MR. ERNEST ERICK: Even if the Russian
- 2 people come over there and drill on the land, as a
- 3 responsible federal government I think it's wrong to do so
- 4 because I live in those areas for many years now; my
- 5 grandfather, his wife and all his brothers. We are a
- 6 relative to those -- relative to the ocean. We are
- 7 friends to the environment. We are friends to the 1002
- 8 lands, the Arctic National Wildlife Refuge I believe in a
- 9 good way. There are other opportunities inside of the
- 10 world today.
- 11 I don't think that the drilling needs to be in
- 12 place up there. I think it's the wrong deal. I think
- 13 other opportunities in this world. I think we have enough
- 14 oil inside that already been produced. It's there sitting
- 15 on the land down in the Lower 48. I think that my people
- 16 should protect those areas, continue speaking on behalf of
- the 1002 lands, the protection where the caribou has
- 18 migrate and all the species in the world has migrated in
- 19 that area. And one spill could be a wrong deal. It will
- 20 spoil the whole earth. And those streams, those ocean,
- 21 those rivers, the lakes, it all comes from that area.
- 22 It's my background.
- 23 My future children is going to be using that in
- 24 a good way. So in the future down the road, we are
- 25 educated enough today to protect those areas. And we are

- 1 stay for a while for the future generation.
- Thank you. My name is Ernest Erick. I'm a
- 3 Gwich'in Athabaskan.
- DR. JIM KENDALL: Thank you. Who else
- would like to speak? Another shot?
- MR. ERNEST ERICK: Department of Interior,
- they are very good people today. They look at the good
- side of it. And I do really acknowledge that in a good
- 9 way. And Congress, federal government, they need to
- understand that. We need to protect this area from
- pro-development. We don't need that pro-development in
- this country. So remember the good things that the God
- made this land for me and you in a good way for our
- 14 children.
- 15 DR. JIM KENDALL: Thank you.
- MS. MAGGIE MASSEY: That's a hard act to
- follow. I'll try, though. Maggie Massey. So I just want
- to kind of touch on what you were saying and echo your
- concerns. And I, too, am -- have a lot of fears about
- pollution in the ocean and spills in the ocean, whether they are from the Russians or from the United States. And
- one reason why I'm hesitant in supporting the Lease Sale
- 23 193 is that I'm not convinced that we have the capability
- 24 or the infrastructure to clean up a spill that could be
- 25 produced by us or anyone else.

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- I think that the Deepwater Horizon spill taught
- 2 us a lot in how little we know and how little we can do,
- 3 and I think that that, compounded with the issues that
- 4 arise when you are producing and exploring in shallow
- 5 Arctic waters where there is ice and darkness, I mean,
- 6 that introduces so many more factors that I don't think
- 7 that we know how to adequately deal with yet. And I don't
- 8 think that those things are necessarily addressed as fully
- 9 as they could be in these documents. So that's one of my
- 10 concerns.
- I also think that because this document wants to
- 12 look at cumulative impacts, I think that it's important to
- 13 actually do that. And I think it's something that's said
- 14 is done, it's something that we think is a good idea, and
- 15 doesn't actually happen as often as it should.
- So I think if we really look at the cumulative
- 17 impacts of what this could do to subsistence life ways,
- 8 what it could do to different wildlife in the area, as
- 19 well as in NPR-A if there is going to be a pipeline, I
- 20 think looking at all those impacts together should be
- 21 enough to say that we don't know enough right now for this
- 22 to be a good idea for us to move forward.
- So for that reason, I would advocate vacating
- 24 the leases.

7 two ago.

8

16

17

DR. JIM KENDALL: Thank you. Anyone else?

2 Kremers. I live here in Fairbanks. I'm sorry I couldn't

4 I had to be there till a little after 7:00. But I wanted

5 to come because I came to an earlier meeting on this

10 that, and I had more of a chance to look it over than I

11 have tonight. But I did the same thing tonight that I did

12 that night, which is go to the table of contents and look

13 for what it says about oil spills. And as two people have

14 mentioned tonight already, that is a big concern of many

And then thinking about the Arctic Ocean -- in

Alaskans, I think, is the danger of an oil spill. It's

18 fact, any of our oceans around this state -- Bering Sea,

19 the Chukchi Sea, the Beaufort -- all of these oceans are

21 any length of time know that, and especially if you have

23 coast, in that -- especially for me I've lived in Western

24 Alaska in the village of Tununak, which is on Nelson

25 Island west of Bethel. So it's not as far north as the

22 had the opportunity to live in a Native village on a

20 really powerful. And any of us who have lived on them for

incredible impacts if it happens.

6 proposal. I don't know when that was. Maybe a year or

DR. JIM KENDALL: About two years ago. **MS. CAROLINE CANNON:** I was present for

3 be here sooner for your presentation. I teach at UAF, and

- 1 Chukchi, but I've had the opportunity to visit many
- 2 coastal villages including Shishmaref, which is quickly
- 3 eroding and having to move. I've also been to Newtok,
- 4 which is on Nelson Island near Tununak. Those are the two
- 5 villages, Shishmaref and Newtok, that are having some of
- 6 the most big results from sea level rise and erosion and
- 7 big storms, which many scientists are pretty certain have
- 8 to do with climate change.
- 9 So we are dealing with a lot of factors now.
- 10 And I think two years later from when this first came out,
- 11 climate change is an even more important issue for all of
- 12 us in Alaska for many people who didn't understand its
- 13 implications until now. And it will just become more
- **14** important. So we are dealing with really unpredictable
- 15 weather. And the Gulf Stream in particular has a huge
- 16 effect on our weather and our climate in Alaska. And we
- 17 have already seen how -- I think in the last several years
- 18 we have seen a lot of changes in Fairbanks in our weather,
- 19 having rain in winter, which we never used to have; having
- 20 a lot of wind. I have been in Alaska for about 28 years
- 21 now and in Fairbanks since '88 off and on. Lots of
- 22 changes that we can see now just in the last couple
- 23 decades. So we are dealing with lots of things that
- **24** science and the oil industry cannot explain.
- 25 And the oil industry, I feel -- although I

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MS. CAROLYN KREMERS: My name is Carolyn

1 understand and really appreciate a lot of their goals and

- 2 I agree that we all need the products of fossil fuels
- = 1 ugree that we all need the products of 10001 fuels
- 3 presently, but we are moving more towards alternative
- 4 fuels. We need to move more towards alternative fuels.5 And Alaska should be leading the way in that because we
- 6 have many resources beyond oil and gas. We have wind. We
- o have many resources beyond on and gas. We have wind.
- 7 have tides. We have all kinds of things that we could tap
- 8 into. And it's a transition period. Of course it's going
- 9 to take decades, maybe longer, for the world to make this
- 10 transition, but the world must make it. I believe they
- 11 must make the transition away from fossil fuels to
- 12 alternative fuels, solar energy. We have many choices and
- 13 we have many things going on right now in development for
- **14** that.
- So I think we also need to be thinking as
- 16 Alaskans and as Americans and as world citizens about the
- 17 future; not just the present, but the future, the seven
- 18 generations and beyond.
- And then looking at the table of contents here,
- 20 I went immediately to the part about oil spills. And, you
- 21 know, I was expecting to see more by now. And I spoke to
- 22 this two years ago, the fact that we don't have a way
- 23 right now to deal with big oil spills anywhere, to deal
- 24 effectively anywhere in the world. We have seen that with
- 25 the Valdez Exxon oil spill. We have seen that with the

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- 1 Deepwater Horizon oil spill. But one in the Arctic Ocean?
- 2 That far north with those kind of conditions with almost
- 3 no large communities nearby, unlike down in the southern
- 4 part of the U.S., unlike Southeast Alaska which is closer
- 5 to more facilities, is closer to Seattle; up at the top of
- **6** the world, we are talking about a very remote area.
- And any of us in the room who have lived or
- 8 visited up there or lived on the ocean know that it is
- 9 really powerful. And so if you have an accident, you have
- 10 got to have -- if you are going to have anything as
- 11 serious as offshore drilling, then any -- any government
- 12 considering that or any corporation -- really shouldn't
- 13 consider it in the first place, I think, for the reasons
- 14 I've already given, but even if they are because, of
- 15 course, it's an oil development industry and gas, then
- 16 really they ought to have the moral fortitude to have the
- 17 kind of technology it takes to clean that up.
- We don't have it. We do not currently have it.
- 19 And I don't see in this document -- although I haven't got
- 20 to read it word for word, but when I turn to oil spills --
- 21 and I appreciate all the efforts and I really appreciate
- 22 that in the United States we value data and research and
- 23 thinking and discussion and diverse opinions and the
- 24 ability to come to things like this and express different
- 25 views, have them recorded, have them reported. That's a

- 1 detail what it is, what people plan to do if there is a
- 2 spill. And we can't guarantee that there won't be because
- 3 it's not just a matter of, of course, having safe
- 4 procedures and good equipment and the desire, which I
- 5 think many big corporations have in the United States to
- 6 do a good job and to do the right thing. It's not just a
- 7 matter of that. It's a matter of Mother Nature.
- And I've lived and visited places where I have
- 9 been in big storms and seen what they can do just to
- 10 people who are on land and have -- know the place, have
- 11 lived there -- and this person mentioned -- for
- 12 generations. Even the people like that sometimes lose
- 13 their lives, lose their boats, lose even their village, as
- 14 Shishmaref and Newtok are doing, their traditional
- 15 villages because of the power of Mother Nature. And
- 16 coupled with climate change, it's not something to take
- 17 lightly.
- So I can't -- I think someone needs -- many of
- .9 us need to speak out and say that we need to see evidence
- 20 of the ability to deal with oil spills in that part of our
- 21 world and our state. And we don't see that now. I doubt
- 22 that we will ever see it. I actually don't think it's
- 23 possible. I don't think it's possible to have a way to
- 24 deal with a big oil spill in any effective way that would
- 25 stop the kind of destruction it would cause.

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- wonderful freedom and right and responsibility that wehave.
- 3 But looking here on this table of contents, the
- 4 part -- it goes from the section 4.3, effects of oil and
- 5 gas exploration, development and production, to talking
- 6 about effects of the exploration, development and
- 7 production. It goes from that, which is, looks like,
- 8 about 200 pages worth, and it goes to 4.4, very large oil
- 9 spills. Starts on page 406, ends on page 428. So that's
- 10 22 pages out of this document, which I didn't even look
- 11 how long it is, but it's pretty big. 22 pages that are
- 12 supposedly talking about very large oil spills. But when
- 13 you sit down and look at it, there is background, there is
- 14 VLOS scenario, there is opportunities for intervention and
- 15 response.
- So there are three categories there, and at
- 17 least two of them would be really important -- in fact,
- 18 background is important, but the other two, a scenario and
- 19 then opportunities for intervention and response, well,
- 20 that starts on 416, goes to 428. So that's only 12 pages.
- 21 That's about six pages each for these issues. And then it
- 22 goes on to other things.
- So, you know, I would think if we have the
- 24 technology to deal with oil spills, there would be a lot
- 25 larger section here, and it would be describing in more

- 1 And as you may have read or know, a lot of this
- 2 study also talks about the risks that there would be. A
- 3 lot of this is about what would happen if there were a
- 4 spill biologically, you know, human-wise, in many ways.
- 5 So we always are coming back down to, well,
- 6 then, will there be a spill? I think we can almost
- 7 guarantee if we have offshore drilling in -- anywhere
- 8 around the world in the circumpolar north, Russia
- 9 included, there will be spills and we won't be able to
- 10 deal with them. And the consequences, as I said, they
- 11 could be major. I expect they would be major, worse than
- 12 we have ever seen because of the conditions and where it
- **13** is. So I just think it's real important.
- I'm really glad people are here tonight. And I
- 15 think we all really need to speak out about the fact that
- 16 this -- this technology doesn't exist, and I don't think
- 17 it's going to.
- 18 Thank you.
- **DR. JIM KENDALL:** Thank you. Anything else?
- 20 What I'm thinking about doing is basically ending this as
- 21 a first session and then hang out for a while and see if
- 22 anyone shows up later because technically we have got the
- 23 room from 7:00 until 10:00. And I'm hesitant to end it
- 24 now, thinking that there might be a group that comes in a
- 25 little bit later than that. So unless there is anything

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 1 else to say, we will break it off now, and if others show
 2 up, maybe in an hour, we will give the presentation again.
 3 Because I think some of the -- your questions may have
 4 been answered in the presentation. So -- anything else?
 5 All right. Then why don't we end it now and maybe we will
 6 start back up at 9:00 if we have anyone else show up. I'm
 7 just hesitant to end it at 8:00 in the evening when we are
 8 supposed to start at 7:00 and go to 10:00. Thank you.
 9
          (A break was taken.)
10
          (Proceedings adjourned at 8:45 p.m.)
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 1
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